

Closed Caption Log, Council Meeting, 04/20/06

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GOOD MORNING, I'M AUSTIN MAYOR WILL WINN, IT'S MY PRIVILEGE TO WELCOME PASTOR HAROLD E. HENDRICKS TO LEAD US IN OUR INVOCATION, PLEASE RISE.

WE THANK YOU FOR THIS OPPORTUNITY TO BE ABLE TO COME BEFORE YOU WITH YOUR PEOPLE AS WE COME TOGETHER TO PLAN AND TO SIT DOWN AND TO REASON TOGETHER. NOW MAY THE LOVE OF GOD AND THE SWEET COMMUNE OF HIS SPIRIT GO WITH US AND BE WITH US AS WE PROCEED FORTH. FOREVER MORE AND THE PEOPLE DID SAY AMEN.

Mayor Wynn: THANK YOU, PASTOR HENDRICKS. HE REMINDED THEY THIS WEEKEND, SATURDAY MORNING IS GOING TO BE A SORT OF COMMUNITY WALK IN THE SAINT JOHN'S AREA WHERE FOLKS, KIDS FROM PICKLE, WEBB AND REAGAN AND A NUMBER OF CHURCHES THERE WILL BE BANDING TOGETHER TO HAVE A NICE WALK TOGETHER IN THE MORNING, THEN GOSPEL MUSIC IN THE AFTERNOON, SO PLEASE JOIN THEM IF YOU CARE TO. THERE BEING A QUORUM PRESENT AT THIS TIME CALL TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. IT IS THURSDAY, APRIL 20th 20th, 2006, WE ARE IN THE COUNCIL CHAMBERS, 301 WEST SECOND STREET, APPROXIMATELY 10:15 A.M. WE HAVE A COUPLE OF CHANGES AND CORRECTIONS TO THIS WEEK'S POSTED AGENDA. THREE ITEMS WITH BEEN WITHDRAWN, ITEM 22, ITEM 51 AND ITEM 65 HAVE BEEN WITHDRAWN FROM THE AGENDA. WE SHOULD NOTE THAT

ITEM NO. 13 AS RELATED TO A POTENTIAL EXECUTIVE SESSION ITEM NO. 61. AND ON ITEM NO. 52, WE SHOULD -- WE SHOULD INSERT THE WORDS AND DATE, A WATER EVENT FOR MAY 28th. ON ITEM NO. 58, WE SHOULD CORRECT THE SUGGESTED DATE AND TIME OF THE PUBLIC HEARING, WE WILL STRIKE APRIL 27th AND INSERT MAY 4th, 2006, AT 6:00 P.M. FOR THIS PUBLIC HEARING. AND ITEM NO. 62, WE SHOULD INCLUDE THE NOTATION THAT'S PRIVATE CONSULTATION WITH OUR ATTORNEYS, SO THAT WOULD BE PURSUANT TO SECTION 551.071 OF THE OPEN MEETINGS ACT TO TAKE UP THAT AGENDA ITEM. OUR TIME CERTAINS TODAY, AT NOON WE WILL BREAK FOR OUR GENERAL CITIZENS COMMUNICATIONS, AT 1:00 WE WILL HAVE A BRIEFING ON THE UPCOMING WORLD CONGRESS ON INFORMATION TECHNOLOGY OR WCIT AS IT'S CALLED. WHICH WILL BE HELD HERE IN AUSTIN MAY 1st THROUGH 5th, WE ARE GOING TO -- THE CORRECTION FOR THIS POSTED BRIEFING WOULD BE ALSO TO -- TO ADD THE PHRASE AND ACCEPTANCE OF STAFF RECOMMENDED SCHEDULE OF EXPENDITURES. AT 4:00 WE BREAK FOR OUR ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS. AT 5:30 LIVE MUSIC AND PROCLAMATIONS, OUR MUSICIANS TODAY ARE THE GRASSY KNOLL BOYS. AT 6:00 P.M. WE HAVE OUR PUBLIC HEARINGS AND POSSIBLE ACTIONS, HOWEVER WE WILL NOTE NOW THAT ITEM NO. 82, THE PUBLIC HEARING, STAFF WILL BE REQUESTING THIS BE POSTPONED TO MAY 18th, 2006. COUNCIL WE HAVE THREE ITEMS PULLED OFF THE CONSENT AGENDA. ITEM NO. 6, RELATED TO OUR APPLICATIONS FOR THE TRANSPORTATION ENHANCEMENT DOLLARS PULLED BY COUNCILMEMBER ALVAREZ, ITEM 31 RELATED TO OUR POTENTIAL SALE OF TAXI FRANCHISE, PULLED BY COUNCILMEMBERS ALVAREZ AND DUNKERLY, ALTHOUGH I THINK THERE MIGHT BE A SUGGESTED POSTPONEMENT REQUEST THAT WE WILL TAKE UP AS PART OF OUR CONSENT AGENDA IF THAT'S THE WILL OF THE COUNCIL, ITEM NO. 57, ALSO PULLED BY COUNCILMEMBER ALVAREZ. SO, COUNCIL, ANY ADDITIONAL ITEMS TO BE PULLED OR PLACED BACK ON THE CONSENT AGENDA, INCLUDING POTENTIALLY -- I GUESS WHEN I TAKE A MOTION ON THE CONSENT AGENDA, I WOULD -- I WOULD ASK IF THAT MAKER WAS CONSIDERING THE POSTPONEMENT OF ITEM NO. 31.

ANY ADDITIONAL ITEMS? COUNCILMEMBER ALVAREZ?

Alvarez: THANKS, MAYOR. I BELIEVE THERE HAD BEEN A REQUEST FROM A COUNCILMEMBER OR TWO ON NUMBER 31, I WAS GOING TO SUGGEST THAT IT BE A ONE WEEK POSTPONEMENT. ON THAT ITEM. MAIRZ OKAY.

Mayor Wynn: OKAY. COUNCIL, WITHOUT OBJECTION -- MAYOR PRO TEM?

Thomas: LET ME ADDRESS 31 IF WE ARE GOING TO DO THE POSTPONEMENT. THERE'S SEVERAL THINGS I NEED DONE WITHIN A WEEK'S TYPE. FIRST OF ALL, BECAUSE THERE WAS DENIED BY URBAN TRANSPORTATION, I NEED TO KNOW WHY THE POSTPONEMENT. SECOND I NEED TO KNOW -- I NEED THE MINUTES OF THE MEETING WE HAD. THIS IS FOR STAFF, BACK AT THE LCRA WHEN WE WERE TALKING ABOUT THE FRANCHISE, BRINGING THE NEW FRANCHISE OVER. THEN THE THIRD THING IS THAT -- NO I NEED THOSE TWO THINGS. BECAUSE NUMBER ONE, I THINK URBAN TRANSPORTATION MADE IT CLEAR WHY THEY DENIED. SECOND OF ALL THAT THERE IS A CONCERN IN THE CAB DRIVERS' CONCERN ABOUT MONOPOLY OF PERMITS. BUT IF WE ALL REMEMBER ON THIS COUNCIL, SOME OF US SIT ON THIS COUNCIL, WE DID SAY WHEN LONE STAR WAS TRYING TO DO A FRANCHISE, THEY WERE DENIED, I WAS ONLY ONE VOTED FOR THEM TO HAVE A FRANCHISE, WE SAID THAT WE WERE GOING TO OPEN OUR NEXT OPPORTUNITY FOR A NEW FRANCHISE THAT THEY WOULD BE THE FIRST ONES TO GET THE OPPORTUNITY AT THE TABLE. SO I NEED TO KNOW ALL OF THAT INFORMATION BEFORE I EVEN -- BEFORE I EVEN -- BEFORE WE COME BACK NEXT WEEK. THANK YOU, MAYOR.

THANK YOU. COUNCILMEMBER DUNKERLY?

Dunkerly: I WOULD LIKE TO ADD A FEW THINGS TO THE DISCUSSION FOR NEXT WEEK, ALSO. I, TOO, AM INTERESTED IN A SOLUTION THAT REALLY DOES THREE THINGS. ONE THAT WOULD ALLOW THE -- THE ACTUAL SALE OF ROY'SMENT SECONDLY TO CREATE A NEW FRANCHISE JUST AS WE -- AS WE SAID THAT WE WOULD DO THE LAST TIME. TO MAKE SURE THAT -- THAT WE HAVE AT LEAST THREE CAB COMPANIES THAT ALL HAVE AVAILABLE PERMITS SO THAT

THE DRIVERS HAVE -- HAVE A CHOICE ABOUT ABOUT WHO THEY WORK FOR. THOSE ARE THE THREE ELEMENTS THAT I WOULD LIKE TO SEE THE STAFF COME BACK WITH SOME RECOMMENDATIONS FOR US. SO -- SO THE NEW -- A NEW FRANCHISE, ENOUGH PERMITS SO THAT EVERYBODY -- SO THAT THE DRIVERS HAVE AN OPTION OF WHO THEY WANT TO WORK FOR AND THEN THE TRANSFER OF THE CAB SERVICE. IF WE CAN GET ALL THREE OF THOSE GOALS DONE AT THE SAME TIME.

I HATE TO PIGGYBACK, KEEP GOING BACK AND FORTH MAYOR, I DO WANT TO MEET WITH COUNCILMEMBER DUNKERLY. WHEN WE ARE TALKING ABOUT A NEW FRANCHISE, WE WANT TO ALSO MAKE SURE THAT THE COMPONENT IS DEALING WITH LONE STAR I HATE TO THROW OUT NAMES, BUT THAT PARTICULAR YEAR WE SAID THAT THEY WERE EVEN -- I THINK EVERYBODY MADE MENTION OF THAT, WHEN THERE'S AN OPPORTUNITY FOR THEM TO COME BACK, THAT THEY WOULD HAVE -- I KNOW WE HAVE TO PUT IT OUT THERE. BUT WE NEED TO CONSIDER THAT AND DECIDE WHOEVER ELSE MAY WANT TO COME IN.

I'M NOT SUGGESTING ONE. I CERTAINLY DO REMEMBER THAT CONVERSATION. I DO BELIEVE THAT WE NEED TO HAVE COMPETITION, WE NEED TO HAVE THAT THIRD FRANCHISE. SO I -- I WOULD BE HAPPY TO MEET WITH YOU, BECAUSE I REMEMBER THAT SAME DISCUSSION. FURTHER COMMENTS? COUNCILMEMBER LEFFINGWELL.

I HAVE A QUESTION ON ITEM 21, PROBABLY FROM LEGAL I GUESS, THAT I WOULD LIKE TO ASK BEFORE -- BEFORE THE SETTING, WHETHER THAT SHOULD BE ON CONSENT OR NOT. ITEM 21 IS THE EASEMENTS TO LCRA. I SENT IN THE QUESTION IN WRITING, BUT I HAVEN'T RECEIVED AN ANSWER YET. SHOULD I ASK YOU, MR. SMITH. THE QUESTION POSED TO ME WAS THE PARTICULAR LAND THAT THESE WATER LINE EASEMENTS GO THROUGH. DOES THAT TRIGGER A CHAPTER 26 PUBLIC HEARING OR NOT. I WANT TO GET THAT QUESTION ANSWERED ON THE RECORD.

AND -- AND MARTY TERRY IS APPROACHING THE PODIUM. I BELIEVE TO ANSWER THAT QUESTION.

MARTHA TERRY, ASSISTANT CITY ATTORNEY. WE BELIEVE IT DOES NOT TRIGGER A CHAPTER 26 PUBLIC HEARING.

YOU BELIEVE IT DOES NOT.

Leffingwell:.

IT DOES NOT.

DO YOU HAVE ANY COMMENTS TO OFFER IN SUPPORT OF THAT OPINION?

MS. GALLOWAY IS COMING RIGHT NOW. SHE CAN FURTHER ELABORATE ON THAT ISSUE.

OKAY. HELLO ALISON GALLOWAY WITH THE LAW DEPARTMENT. I UNDERSTAND THAT THE QUESTION WAS WHETHER A CHAPTER 26 HEARING IS NECESSARY. WHEN ANOTHER GOVERNMENTAL ENTITY IS TAKING -- THIS IS NOT PARKLAND BUT IT CERTAINLY IS RESERVE LAND. SO IT WOULD FALL WITHIN THAT ASPECT OF THE STATE CODE. BECAUSE -- BECAUSE THE OUTCOME OF THE CHAPTER 21 HEARING THAT THE COUNCIL WOULD DENY, THE ENTITY WOULD TAKE IT THROUGH CONDEMNATION. CAN BE TAKEN BY CONDEMNATION, THERE IS NO NEED TO HAVE-- THERE IS NO NEED TO HAVE.

CHAPTER 26 HEARING WOULD HAVE NO BEARING ON THE FINAL DECISION AS TO WHETHER THE EASEMENTS OR GRANTED OR NOT, IS THAT WHAT YOU ARE SAYING?

YES, SIR.

OKAY. THANK YOU.

Leffingwell: LEAVE THAT ITEM ON CONSENT.

Mayor Wynn: AGAIN, ANY ADDITIONAL ITEMS TO BE PULLED OFF THE CONSENT AGENDA? IF NOT I WILL READ THIS MORNING'S CONSENT AGENDA NUMERICALLY. OKAY. IT WILL BE -- ITEM 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, PER CHANGES AND CORRECTIONS NOTING AS RELATED TO ITEM NO. 61, 14, 15, 16, 17, 18, 19, 20, 21, 22, NOTING THAT IT HAS -- I'M SORRY, 22

HAS BEEN WITHDRAWN PER CHANGES AND CORRECTION, SO 21 IS ON THE CONSENT AGENDA, 22 WITHDRAWN, 23, 24, 25, 26, 27, 28, 29, 30, 31 TO BE POSTPONED TO ONE WEEK, APRIL 27th, 2006, NOTING SOME ADDITIONAL REQUESTS FOR INFORMATION FROM THE MAYOR PRO TEM AND COUNCILMEMBER DUNKERLY, TO -- TO -- IN ADVANCE OF THAT ITEM, 32, 33 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, WHICH ARE OUR BOARD AND ECONOMICS APPOINTMENTS, I WILL READ INTO -- BOARD BOARD BOARDS AND COMMISSIONS APPOINTMENTS THAT I WILL READ INTO THE RECORD, DAY LABOR ADVISORY COMMITTEE, JOHN BRIST EMPLOYER RELATED REPRESENTATIVE, TO OUR DOWNTOWN AUSTIN COMMUNITY COURT ADVISORY COMMITTEE, MARK THOMPSON IS A CONSENSUS APPOINTMENT, TO OUR HUMAN RIGHTS COMMISSION, STEWART CAMPBELL IS A CONSENSUS APPOINTMENT, TO OUR M.B.E./W.B.E. ADVISORY COMMITTEE, [INDISCERNIBLE] AND ELIZABETH MCCA A ARE CONSENSUS REAPPOINTMENTS. TO OUR URBAN TRANSPORTATION COMMISSION, DANA LOCKLEER. ITEM NO. 29 ON THE CONSENT AGENDA, CONSENT AGENDA ALSO INCLUDES ITEM 50 -- NOTING ITEM 51 HAS BEEN WITHDRAWN FROM THE AGENDA. ITEM 52 PER CHANGES AND CORRECTIONS, 53, 54, 55, 56, 58 PER CHANGES AND CORRECTION, AND 59. I'LL ENTERTAIN A MOTION.

MAYOR, I MOVE APPROVAL.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER KIM. SECONDED BY THE MAYOR PRO TEM TO APPROVE THE CONSENT AGENDA AS READ. FURTHER COMMENTS? COUNCILMEMBER KIM?

I WOULD LIKE TO TALK ABOUT [INDISCERNIBLE] ON THE DIRECTING THE CITY MANAGER TO CREATE A STAFF TASK FORCE TO RECOMMEND WAYS TO IMPROVE CHILD CARE OPTIONS DURING NIGHTS AND WEEKENDS FOR CITY OF AUSTIN EMPLOYEES. I WANT TO THANK HER ASSISTANCE IN DOING THIS. I UNDERSTAND IT'S A SURVEY THAT'S OUT RIGHT NOW FOR CITY EMPLOYEES ON THEIR NEEDS FOR CHILD CARE. THIS IS AN IMPORTANT ISSUE TO ME, I HAVE ALWAYS BELIEVED CHILD CARE IS A WORKFORCE ISSUE. I HAVE SEEN FIRSTHAND HOW WOMEN AND PARENTS, IN

PARTICULAR, EVEN SINGLE FATHERS HAVE FOUND IT DIFFICULT TO FIND CHILD CARE FOR -- FOR JOBS THAT THEY WOULD LIKE TO APPLY FOR, ESPECIALLY FOR JOBS THAT REQUIRE EVENING WORK OR SHIFT WORK OR WEEKEND WORK. AND -- AND I UNDERSTAND THAT THE -- THAT THE EMPLOYEE WORKFORCE ISSUES COMMITTEE HAS ALREADY IDENTIFIED THIS AS A KEY PRIORITY FOR THEM TO -- TO HELP WITH CHILD CARE OPTIONS FOR NON-STANDARD SHIFT WORK EMPLOYEES. AND I LOOK FORWARD TO THE WORK OF THE TASK FORCE AND -- AND DEVELOPING SOME CREATIVE SOLUTIONS FOR ALL OF US, THIS IS SOMETHING THAT AFFECTS NOT JUST THE CITY OF AUSTIN EMPLOYEES BUT ALSO THE COUNTY EMPLOYEES AND PEOPLE WHO WORK EVEN IN THE PRIVATE SECTOR. SO I'M HOPING THAT WE CAN COME UP WITH SOME VERY GOOD RECOMMENDATIONS FOR THE CITY MANAGER TO IMPLEMENT AND I WANT TO THANK THE CITY MANAGER, TOBY FUTRELL FOR HER WORK ON THIS. THANK YOU.

Mayor Wynn: THANK YOU, COUNCILMEMBER. I ACTUALLY HAVE A COUPLE OF CITIZENS THAT WOULD LIKE TO ADDRESS US ON CONSENT AGENDA. IS CAREY PRICHARD HERE. COME FORWARD, YOU WILL HAVE THREE MINUTES, FOLLOWED BY ANGELEE [INDISCERNIBLE]

THANK YOU, MAYOR AND CITY COUNCIL FOR ADDRESSING THIS ISSUE. THE EMERGENCY SERVICES CAREERS HAVE VERY UNIQUE SITUATIONS AS FAR AS SCHEDULE, WE WORK 24 HOURS SHIFTS FOR FIRE, E.M.S., E.M.S. HAS MANDATORY OVERTIME, ALSO POLICE WORK 24/7 ON THEIR VARYING SHIFTS AND BECAUSE OF THE LONG HOURS AND THE OVERTIME CHILD CARE IS A REAL PREDICAMENT FOR US SOMETIMES. IT'S JUST -- IT'S HARD TO FIND THAT OVERNIGHT CARE. ALSO WITH THE EMERGENCY SERVICES WE HAVE AN EXTREMELY HIGH STRESS RATE AND HIGH DIVORCE RATE. SO -- SO YOU MAY HAVE A SUPPORTIVE FAMILY WHEN YOU COME INTO THE DEPARTMENT, BUT AS YOU -- AS YOUR CAREER PROGRESSES, THAT FAMILY MAY NOT ALWAYS BE THERE, YOU MAY FIND YOURSELF IN DIFFERENT SITUATIONS. I KNOW THAT I HAVE TALKED TO A LOT OF GUYS THAT I HAVE WORKED WITH WHO HAVE MENTIONED THAT THEY THINK THEY WOULD HAVE PROBABLY WON CUSTODY BATTLES HAD THEY HAD AN OPPORTUNITY TO HAVE CHILD CARE MORE

AVAILABLE TO THEM. ANOTHER HUGE THING IS RECRUITING. YOU CAN LOOK AT THE 2000 CENSUS TO SEE HOW HIGH THE DIVORCE RATE IS. THERE ARE A HUGE AMOUNT OF SINGLE PARENTS, THESE PEOPLE JUST DON'T APPLY FOR OUR JOBS. BECAUSE THEY JUST CAN'T. THEY MAY WANT TO BE A FIREFIGHTER, POLICE OFFICERS OR PARAMEDIC, BUT -- BUT JUGGLING IT WITH THE FAMILY IS JUST SUCH A CHALLENGE THAT -- THAT THAT IS A POOL OF PEOPLE THAT WERE IMMEDIATELY SINGLING OUT AND SAYING -- OR, YOU KNOW, NOT GIVING THEM THE OPPORTUNITY THAT NORMALLY COULD BE THERE. AND I THINK THAT I SHOULD SAY, TOO, THAT WE ARE NOT LOOKING FOR A HANDOUT. WE DON'T WANT FREE CHILD CARE. WE WANT QUALITY AFFORDABLE CHILD CARE THAT'S AVAILABLE DURING THE HOURS THAT WE WORK. SO THAT'S -- THAT'S WHAT WE ARE LOOKING FOR. IF YOU ALL HAVE ANY QUESTIONS AT ALL, I WOULD LOVE TO ANSWER THOSE. BUT THAT'S REALLY ALL THAT I HAVE.

THANK YOU, MS. PRITCHARD? QUESTIONS?

SHE IS THE ONE WHO APPROACHED ME ABOUT THIS AND I WANT TO THANK YOU FOR BRINGING THIS TO MY ATTENTION AND LOOK FORWARD TO YOUR ASSISTANCE AS WE DEVELOP SOME SOLUTIONS. THANK YOU.

THANK YOU VERY MUCH.

YES, THANK YOU. OUR NEXT SPEAKER ON THIS ITEM IS ANGELIQUE KEEPER. WELCOME, ALSO SIGNING UP IN FAVOR WAS MIKE SHEFFIELD. GOOD MORNING, MAYOR, CITY COUNCIL, THANK YOU FOR THE OPPORTUNITIES TO LET ME SPEAK ON THIS POSITION. I WOULD LIKE TO SPEAK ON BEHALF OF ALL OF THE OFFICERS WITH AUSTIN POLICE DEPARTMENT. TODAY AND MENTION HOW A TREMENDOUS THING THIS WOULD BE TO HAVE DAYCARE AVAILABLE FOR OFFICERS. IT GOES WITHOUT MENTIONING THE AMOUNT OF STRESS THAT WE DEAL WITH. IT'S -- IT'S JUST THAT SOMETIMES YOU FORGET THE -- THE LITTLE THINGS THAT COMES ALONG WITH BEING A POLICE OFFICER. SUCH AS THE LONG HOURS. BEING CALLED IN AFTER JUST GETTING OFF WORK. CALLED INTO COURT, CALLED IN TO WORK A CASE THAT YOU MIGHT HAVE LEFT ONE DETAIL OFF, YOU HAVE GOT TO COME BACK IN. CHANGE OF HOURS. SOMETIMES

WORKING A CERTAIN POSITION REQUIRES THAT -- THAT TODAY YOU WORK DAY SHIFT, TOMORROW YOU WORK NIGHT SHIFT. THE NIGHT SHIFT HOURS SOMETIMES DEAL WITH 9:00 P.M. TO 7:00 A.M., JUST OUTSIDE OF ALL DAYCARE HOURS. WHAT -- WHAT OFFICERS ARE REQUESTING IS THAT ONE MAKING IT A TOOL AS A RECRUITING TOOL TO BRING IN MORE OFFICERS, MORE QUALIFIED OFFICERS WHO MIGHT HAVE WENT THROUGH THE HIRING PROCESS AND THEN REALIZED THESE HOURS ARE SOMETHING THAT JUST CANNOT WORK WITH MY FAMILY. SOMETIMES THEY ARE BEING RECRUITED FROM OUTSIDE OF THE AUSTIN AREA AND WHEN THEY MOVE HERE AND THEY DECIDE TO EITHER BRING A FAMILY WITH THEM OR START A NEW FAMILY WHEN THEY ARRIVE, IT'S ALMOST IMPOSSIBLE TO MAKE A HOME FOR YOUR FAMILY OR CREATE A FAMILY IF YOU HAVE THIS TYPE OF LIFESTYLE THAT YOU DESIRE, OBVIOUSLY EVERY SINGLE OFFICER DESIRES TO BE AN OFFICER OR THEY WOULDN'T BE ONE. WHAT THEY ARE ASKING IF YOU JUST CREATE IT, WE WILL PAY FOR IT. OF COURSE MAKE IT AFFORDABLE. I KNOW THERE ARE SERVICES PROVIDED BY HUMAN RESOURCES NOW FOR OFFICERS AND ALL CITY EMPLOYEES. BUT WE JUST DON'T QUALIFY. WE ARE -- SOME ARE EITHER OVERQUALIFIED FOR WHAT IS OFFERED OR UNDERQUALIFIED FOR WHAT IS OUT THERE AND ALREADY OFFERED FOR ANY ASSISTANCE OF AUSTIN, THE CITY OF AUSTIN. TO HAVE THE ACCESS THAT -- THAT MAKES IT VERY NECESSARY, IT'S ALMOST IMPOSSIBLE FOR ANY SINGLE PARENTS OUT THERE, ESPECIALLY THE OFFICERS TO -- TO GET THIS ACCOMPLISHED. THE BIG WORD THAT YOU SEE IN THE MEDIA ALL THE TIME, THE NEED IS PRICELESS. REALLY IS. I'VE BEEN WORKING ON THIS FOR SIX YEARS PERSONALLY, I HAVE SPOKEN TO OFFICERS BEFORE ME THAT HAVE MET A BRICK WALL IN THE SAME EFFORT. MY CHILDREN NOW ARE OUT OF DAYCARE, I STILL TAKE THIS EFFORT ON WITHOUT ANY -- ANY MOMENT'S HESITATION. I WANT TO ALSO SAY THAT -- THAT -- THAT EVERY DAY, IF NOT EVERY DAY, EVERY OTHER DAY, THERE ARE PAGES THAT ARE BEING SENT OUT THROUGHOUT THE DEPARTMENT FOR THE NEED OF DAYCARE, SO THIS IS NOT SOMETHING THAT IS HERE NOW, HERE YESTERDAY AND NOT HERE TOMORROW. THIS IS SOMETHING THAT WILL ALWAYS EXIST. ANY

QUESTIONS?

Thomas: MAYOR, IF YOU DON'T MIND?

Mayor Wynn: MAYOR PRO TEM, YES.

Thomas: I DO COMMEND YOU. YOU DID COME TO MY HOUSE, I COMMEND YOU ON YOUR TENACITY TO CONTINUE. YOU ALSO STIMULATED CAPITAL METRO, WE ARE IN THE PROCESS, COUNCILMEMBER ALVAREZ AND I, SIT ON THE BOARD AND PASSED SOME FUNDS YESTERDAY FOR THE -- FOR THE -- OUR CHILD CARE FOR OUR EMPLOYEES. SO YOU CONTINUE TO HAVE THE TENACITY TO CONTINUE SO THAT WE CAN BE ABLE TO REACH THE NEEDS OF OFFICERS THAT ARE WORKING SHIFT WORK. THANK YOU VERY MUCH FOR THE EFFORTS.

YES, THANK YOU.

JUST A LITTLE BIT ABOUT THE PROPOSAL. WHAT THE EMPLOYEE WORKFORCE COMMITTEE HAS BEEN WORKING ON IS TO USE THE CITY'S PURCHASING POWER TO CREATE THE SUPPLY. THERE'S VERY LITTLE SUPPLY OF NIGHT AND WEEKEND DAYCARE OUT THERE FOR THE DEMAND THAT'S OUT THERE. SO THE CONCEPT IS TO -- TO SURVEY FOR THE DEMAND, THEN TAKE THE CITY'S PURCHASING POWER AND GO OUT BASICALLY ON AN R.F.P. TO -- TO CREATE AND ASK FOR THE PURCHASE OF THIS MANY SLOTS OF DAYCARE FOR NIGHT AND WEEKEND HOURS. AND THEN WORK THROUGH SOME KIND OF A PAYROLL DEDUCTION CONCEPT WHERE WE CAN BASICALLY PURCHASE THESE SLOTS UP FRONT AND MAKE THEM AVAILABLE FOR ALL OF OUR EMPLOYEES WHO WORK THESE SHIFTS AND HAVE THIS NEED. SO THE IDEA IS TO USE THE POWER OF THE CITY'S PURCHASING POWER AND -- AND IDENTIFY THE DEMAND TO CREATE THE SUPPLY AND MAKE IT AVAILABLE FOR OUR EMPLOYEES. SO WE'LL KEEP WORKING ON THE IDEA, BROADEN THE TASK FORCE TO INCLUDE ALL OF THE DIFFERENT STAKEHOLDERS THAT ARE GROWING ON THIS ISSUE AND SEE WHAT WE CAN DO ABOUT CREATING THIS SUPPLY FOR YOU.

IF I COULD RESPOND TO WHAT YOU JUST SAID. I'M PROBABLY NOT THE ONE TO SPEAK ON THIS ISSUE, BUT I'M

FAMILIAR WITH A LITTLE BIT THAT THE COUPLE OF THE STUMBLING STONE THAT'S WE HAVE ENCOUNTERED SO FAR ARE WHEN WE GO TO OFFER A SURVEY TO GET THOSE NUMBERS, WE ARE MET WITH SOME CLOSED DOORS, WELL, IT'S NOT ALLOWED, THERE'S CERTAIN TECHNICALITIES THAT NEED TO BE HANDLED, WE ARE NOT ABLE TO SUCCESSFULLY BRING THE INFORMATION YOU ARE REQUESTING TO YOU BECAUSE OF THE -- OF THE PROBLEMS THAT -- IT KEEPS -- IT'S JUST WE KEEP HAVING A HARD TIME BRINGING YOU WHAT YOU ARE REQUESTING. AND WE REALLY WANT TO. I'VE GONE THREE TIMES TO DO A SURVEY WITH AN A.P.D. I KNOW CAREY PRITCHARD --

Futrell: ACTUALLY, SO YOU KNOW THE SURVEY HAS BEEN DRAFTED. IT'S GOING OUT CITY-WIDE TO EVERY CITY DEPARTMENT, EVERY CITY EMPLOYEE. YOU ARE PAST THAT BARRIER. THIS WORK HAS BEEN GOING ON NOW FOR EVERY THREE MONTHS. THE SURVEY IS COMPLETE. IT WILL GO OUT CITY-WIDE. WE ARE GOING TO UNDER THE COUNCILMEMBER'S REQUEST, WE ARE GOING TO BUMP THAT SO THAT WE WILL INCLUDE THE ABILITY TO ADD FOR RECRUITING DEMAND AS WELL AS FOLKS WHO MAY NOT ALREADY HAVE THE DEMAND BUT MAYBE EVEN PLANNING FOR A FAMILY. SO WE WILL OVERSUPPLY ON THE DEMAND IN ACCORDANCE -- IN TERMS OF CREATING SLOTS. SO WE ARE PAST THAT HURDLE. YOU ALL ARE -- YOU ALL ARE ON THE ROLLING EDGE BECAUSE OF YOUR 10 TENACITY OF MAKING THIS HAPPEN.

YES, I KNOW WE HAVE COME CLOSEST TO THE FURTHEST WE HAVE EVER BEEN. I KNOW THAT, I APPRECIATE THAT VERY MUCH. I'M STANDING RIGHT HERE IN FRONT OF YOU, IT'S A BIG MOVE. I KNOW IT IS. I APPRECIATE THAT 100%. I WANT TO MENTION THAT THERE ARE 859 PATROL OFFICERS ON THE STREET RIGHT NOW, CURRENTLY ON OUR STATS AS OF THIS MORNING WITH H.R. YOU PROBABLY ALREADY KNOW THAT WE HAVE 1435 AUTHORIZED AND 1340 ACTUAL OFFICERS. JUST 859 ON THE STREET THAT -- THAT DESIRE THAT ACTUAL NEED FOR THE -- FOR THE DAYCARE ITSELF. BUT OF COURSE WE WANT TO OPEN IT UP TO EVERYBODY. I JUST FORGOT TO MENTION THAT EARLIER.

Futrell: WE INTEND TO DO THIS CITY-WIDE, NOT JUST PUBLIC

SAFETY, BUT ALL OF OUR EMPLOYEE WHO WORK NIGHT AND WEEKEND SHIFT. WE HAVE MANY DIFFERENT DEPARTMENTS, NOT JUST FIRE, POLICE, E.M.S. AS YOU WANT A 24/7 CITY, AUSTIN WASTEWATER, PUBLIC WORKS, MANY DIFFERENT DEPARTMENTS THAT RUN 24-7 OPERATIONS. TO ADD TO THAT LIKE CITY COUNCIL MEMBER DANNY THOMAS MENTIONED, I DID MAKE A PRESENTATION, ASK THEM TO COME WITH ME ON MY SIDE OF THE TABLE TO MAKE THAT PRESENTATION ABOUT GETTING THE DAYCARE. WHEN I DID THAT, THEY HAVE SUCCESSFULLY MOVED FORWARD. THEY DO HAVE THE FACILITY, THEY HAVE -- THEY HAVE HIT ONE SMALL STUMBLING STONE WITH INSPECTION, THEY ARE EXPECTED TO BE OPEN SOMETIME BY THE END OF THIS SUMMER, THEY DID EXTEND THE OFFER TO OFFICERS, OTHER EMPLOYEES AS A SECONDARY AFTER SLOTS ARE FILLED BY THEIR OWN EMPLOYEES.

Futrell: WE WILL INCORPORATE THAT CONCEPT.

Mayor Wynn: THANK YOU.

THANK YOU. WE HAVE A MOTION AND A SECOND ON THE TABLE TO APPROVE THE -- THE CONSENT AGENDA. WE HAVE A COUPLE OF FOLKS WHO HAVE SIGNED UP, ALTHOUGH THESE ITEMS ARE SET TO BE APPROVED. WITH THE EXCEPTION OF KEITH SMITH. HE SIGNED UP WISHING TO SPEAK ON ITEM NO. 1, WHICH TECHNICALLY ARE THE MINUTES FROM THE LAST MEETING. AND MR. SMITH SIGNED UP IN OPPOSITION. KEITH SMITH? MY SCREEN SAYS KEITH. WE WILL NOT THAT, MR. SMITH, THANK YOU. NOTE THAT. AGAIN, A BUNCH OF FOLKS SIGNED UP ON ITEM NO. 31 ON THE CONSENT AGENDA, WE ARE -- WE ARE POSTPONING THIS ITEM FOR ONE WEEK AND AS YOU HEARD THERE'S -- THERE'S REQUESTS BY THE MAYOR PRO TEM AND COUNCILMEMBER DUNKERLY FOR SOME ADDITIONAL INFORMATION. SO NEXT WEEK WE WILL HAVE THE FULL -- FULL BRIEFING OF THAT INFORMATION AND A FULL HEARING IN -- AND YOUR OPPORTUNITY TO ADDRESS US THEN, HOPEFULLY WITH EVEN MORE INFORMED TESTIMONY AS WE GET THAT INPUT FROM STAFF. THANK YOU ALL FOR BEING HERE AND YOUR PATIENCE. AND LASTLY, ITEM NO. 56, A HANDFUL OF FOLKS SIGNED UP, A COUPLE OF FOLKS SIGNED UP WISHING TO SPEAK BUT IN FAVOR. JUST REMIND

THEM THAT THIS ITEM IS SET TO -- TO BE APPROVED HERE ON THE CONSENT AGENDA UNANIMOUSLY BY COUNCIL, BUT IF ISHMAIL LAZONO OR JUAN URES TEST CARE TO ADDRESS US, YOU ARE TO BUT NOTE THAT WE ARE ABOUT TO APPROVE THIS ITEM NO. 56.

Alvarez: MAYOR, I DID WANT TO SPEAK TO THIS ITEM SO THAT IT'S CLEAR TO THE INTERESTED FOLKS WHAT'S -- WHAT'S HAPPENING HERE. IN RECENT MONTHS THERE'S BEEN CONFUSION OVER WHAT LAND DEVELOPMENT REQUIREMENTS APPLY TO MOBILE FOOD VENDORS. AND PART OF THE CONFUSION ITEM STEMS FROM FROM THE FACT WHAT THE REQUIREMENTS ARE IN TERMS OF THE SITE DEVELOPMENT STANDARDS AND SO WITH THIS -- YOU KNOW, WHAT IT TENDS TO DO IS TO -- IS TO BEGIN OF PROCESS OF ADOPTING, YOU KNOW, A SECTION TO THE LAND DEVELOPMENT CODE THAT WOULD DEFINE THE -- THE PARAMETERS, THE SITE DEVELOPMENT PARAMETERS FOR THOSE BUSINESSES. AND THE ORDINANCE ITSELF KIND OF LAYS OUT SOME PARAMETERS THAT WE HOPED CAN BE INCLUDED -- IN THE -- IN THAT PARTICULAR SECTION OF THE CODE THAT IS -- THAT IS ADDED AND THAT PERTAINS TO THESE PARTICULAR ESTABLISHMENTS AND I DID -- DID WE PASS THIS OUT ALREADY? I DID WANT TO PASS OUT A -- AN ORDINANCE, YOU KNOW, THAT SUGGESTS THAT -- THAT THE POSSIBLE CHANGE TO THE CODE THAT COULD ADDRESS THE CONCERNS THAT HAVE BEEN RAISED AND THAT THIS BE THE STARTING POINT FOR -- FOR THIS AMENDMENT TO THE CODE. AT LEAST TO MY KNOWLEDGE OVER THE LAST COUPLE OF MONTHS, THE ISSUES THAT HAVE BEEN RAISED OR THAT HAVE SURFACED AS CONCERNS WOULD BE ADDRESSED, BUT -- BUT I HAVEN'T HEARD ANY OTHER ISSUES NECESSARILY THAT -- THAT WOULD NEED TO BE INCORPORATED INTO THIS. BUT I WOULD ASK THAT IF -- THAT IS -- THAT IF STAFF IS GOING TO RECOMMEND ANY ADDITIONAL REQUIREMENTS OR STANDARDS, THAT THEY WORK WITH THE COUNCIL OFFICES AND THEY WORK WITH THE AGENTS FOR THE -- FOR A LOT OF THE VENDORS, THE BUSINESS OWNERS THAT HAVE BEEN INVOLVED AND ALSO THE REPRESENTATIVE OF THE -- LET ME SEE IF I CAN GET THIS RIGHT, [SPEAKING IN SPANISH], I DON'T KNOW IF I FOR THE THAT -- I DON'T KNOW IF I GOT THAT RIGHT. I BELIEVE

THE REPRESENTATIVES AND MEMBERS ARE HERE OF THAT ASSOCIATION. BUT -- BUT IN -- IN DISCUSSING THESE ISSUES WITH THEM, I THINK THESE ARE SOME OF THE IDEAS THAT SURFACE IN TERMS OF HOW TO ADDRESS THE -- THE ISSUES THAT HAVE ARISEN AND SO IF THERE ARE GOING TO BE ANY OTHER SUGGESTIONS FOR -- FOR WHAT -- YOU KNOW, FOR ADDITIONAL REQUIREMENTS THAT WE WORK THROUGH WITH THESE STAKEHOLDERS TO DETERMINE WHAT THOSE SHOULD BE, BUT I BELIEVE THIS ORDINANCE AND THIS SUGGESTED CHANGE TO THE CODE ACTUALLY GET AT THE SPECIFIC ISSUES THAT -- THAT AT LEAST HAVE BEEN BROUGHT TO MY ATTENTION THUS FAR. [SPEAKING IN SPANISH] [SPEAKING IN SPANISH] [SPEAKING IN SPANISH] [SPEAKING IN SPANISH]

I THINK I NEED A TRANSLATOR. [SPEAKING IN SPANISH]
[SPEAKING IN SPANISH] [SPEAKING IN SPANISH]

Alvarez: THANK YOU. MAYOR, TO SUMMARIZE VERY BRIEFLY, SAID THAT THE -- YOU KNOW THAT THEY ARE OBVIOUSLY INTERESTED IN WORKING WITHIN THE RULES, WITHIN THE LAWS, THEY ALSO WANT SOME CLARITY IN TERMS OF WHAT THE RULES ARE THAT THEY NEED TO COMPLY WITH. MENTIONED THAT -- THAT THE PERMITS ISSUED FOR THESE USES TYPICALLY BE GIVEN OUT BY THE HEALTH DEPARTMENT. BUT REALLY THAT -- THAT -- THAT THERE WAS NO -- NO SORT OF LAND DEVELOPMENT CODE RESTRICTIONS OR REQUIREMENTS THAT APPLY BECAUSE -- BECAUSE THEY ARE NOT SPELLED OUT ANYWHERE. AND SO THAT THEY ARE IN KIND OF -- THEREIN KIND OF LIES THE PROBLEM. WHAT WE ARE TRYING TO DO HERE IS -- IS JUST SPECIFY, YOU KNOW, AND ARTICULATE, YOU KNOW, VERY CLEARLY WHAT THE RULES ARE GOING TO BE FOR THESE PARTICULAR TYPES OF ACTIVITIES AND BASICALLY, YOU KNOW, HE MENTIONED THAT MANY FAMILIES DEPEND ON THESE REVENUES TO SUPPORT, YOU KNOW, TO SUPPORT THEMSELVES. THE BUSINESS OWNERS CREATED THIS ASSOCIATION REALLY TO GET CLARIFICATION OF THE RULES AND -- AND BECAUSE AGAIN THAT IS OPERATING WITHIN -- WITHIN WHATEVER RULES ARE STABBED BY THE -- ESTABLISHED BY THE CITY AND THAT'S REALLY THE INTENT OF THIS RESOLUTION IS TO START THE PROCESS OF ESTABLISHING THE PARAMETERS SO THAT THEY KNOW HOW

THEY CAN CONTINUE THEIR BUSINESSES, WHICH IS REALLY ALL THEY ARE INTERESTED IN IS -- IS WHAT THEY NEED TO DO TO CONTINUE TO MAKE A LIVING. SO I WANT TO APPRECIATE, YOU KNOW, THE FACT THAT THEY CAME OUT AND -- AND I THINK THIS WAS THE THIRD OR FOURTH TIME THAT WE'VE HAD A GROUP OF ABOUT 30 BUSINESS OWNERS COME OUT AND VISIT CITY HALL TO -- TO TRY TO ACHIEVE SOME KIND OF RESOLUTION AND THIS IS THE BEGINNING OF FINDING THAT RESOLUTION AND SO THANK YOU VERY MUCH. [SPEAKING IN SPANISH] [SPEAKING IN SPANISH]

Mayor Wynn: THANK --

Alvarez: THANK YOU, MAYOR, I THINK THAT I HAVE A COUPLE OF QUICK ISSUES -- A -- ON NUMBER 6 I THINK IT HAD TO DO WITH OUR APPLICATION FOR -- FOR ENHANCEMENT. GRANTS. I WAS JUST WONDERING ABOUT -- ABOUT -- ABOUT WHETHER THERE WAS A NEED TO -- TO -- WHETHER THERE WAS A PRIORITIZATION THAT HAD TAKEN PLACE AND NOT WITH THESE PROJECTS AND WHAT -- I DON'T KNOW, YOU KNOW, TYPICALLY HOW WE HAVE DONE IT IN THE PAST IN TERMS OF SUBMITTING THE APPLICATIONS AND WHAT OUR CHANCES MIGHT BE BECAUSE THERE'S MANY I THINK WORTHWHILE APPLICATIONS AND SOME ARE MUCH BIGGER THAN OTHERS AND -- AND I WAS JUST CURIOUS ABOUT -- ABOUT, YOU KNOW, WHETHER WE HAVE A PRIORITY LIST OR WE JUST SUBMIT, YOU KNOW, THOSE SUGGESTIONS AND ACTUALLY I THINK THAT'S AN ITEM THAT I HAD PULLED, BUT I WAS DEBATING WHETHER TO PUT IT BACK ON THE AGENDA. BUT ON THE CONSENT AGENDA. BUT --

Mayor Wynn: PERHAPS -- IF YOU THINK PERHAPS IT'S A BRIEF CONVERSATION, THEN WE COULD HAVE THAT NOW, THEN PERHAPS PUT IT BACK ON THE CONSENT AGENDA.

Alvarez: SURE. I GUESS MY MAIN POINT WAS IF WE ARE ON SOME KIND OF DEADLINE TO TURN THESE IN, THEN -- THEN YOU KNOW I DON'T KNOW THAT THERE'S MUCH TIME FOR US TO TRY TO -- YOU KNOW, WEIGH IN ON WHICH -- YOU KNOW, WHICH ONES ARE REFERRED, YOU KNOW, BY THE COUNCIL OR BY STAFF AND THAT -- BUT ARE WE ON SOME KIND OF TIGHT TIME FRAME TO GET THESE SUBMITTED TO TXDOT

FOR CONSIDERATION?

COUNCILMEMBER, MAYOR, COUNCILMEMBERS, MY NAME IS AUSTAN LIBRACH, ECONOMIC GROWTH. WE ARE ON A TIGHT TIME FRAME, COUNCILMEMBER. THE DEADLINE TO TO TURN THESE IN IS THE 28th. THERE ARE SOME SIGNIFICANT ADMINISTRATIVE MATTERS THAT WE NEED TO TAKE CARE OF ONCE COUNCIL HAS DECIDED WHICH OF THESE YOU WISH TO MOVE FORWARD WITH. WE THINK WE NEED ALL OF THE TIME THAT REMAINS TO -- TO FINISH THOSE ADMINISTRATIVE MATTERS TO GET THIS SUBMITTED ON TIME. IN THE PAST THERE'S ALWAYS BEEN A DISCUSSION BY COUNCIL. THESE THINGS COME UP ABOUT EVERY THREE OR FOUR YEARS. WE GET A CALL FROM TXDOT WHO DISTRIBUTE FEDERAL DOLLARS THROUGH THIS GRANT FUNDING MECHANISM WHETHER OR NOT TO DO AN ALL OR NOTHING APPROACH AND PICK THE SINGLE PROJECT THAT IS MOST IMPORTANT TO THE CITY OR TO -- OR MORE OF A SCATTER GUN APPROACH, IF YOU WILL, WHERE WE PROVIDE WHATEVER NUMBER WE THINK IS APPROPRIATE AND HAVE -- HAVE THE DECISION, THE FINAL DECISION BE MADE AS IT WILL ULTIMATELY BY TXDOT AND THE STATE. OUR RECOMMENDATION TO YOU IS THE FIVE PROJECTS PLUS ONE THAT I WANT TO BRING UP, TO ADD TODAY, SO A TOTAL OF SIX PROJECTS AND THEY ARE LISTED FROM THE STAFF'S PERSPECTIVE IN -- IN ORDER OF PRIORITY FROM -- FROM THE -- FROM THE -- AS THE STAFF HAS -- HAS EVALUATED THEM. SO -- SO THAT'S WHERE IT STAND AT THAT POINT. THE --

AND AUSTAN, THERE WERE TWO PROJECTS IN THE PROCESS THAT WERE CULLED OUT THAT WERE NOT BROUGHT TO YOU EITHER BECAUSE WE DIDN'T THINK THEY MET THE CRITERIA OR BECAUSE THEY WERE COST PROHIBITIVE IN TERMS OF MATCH AND MAINTAIN. WHAT IS IN FRONT OF YOU WE BELIEVE ARE VIABLE PROJECTS, PROJECTS THAT STAND A CHANCE OF MAKING IT THROUGH THE CRITERIA AND BEING GRANTED.

THAT IS CORRECT, CITY MANAGER.

Alvarez: IN THE PAST HAVE WE HAD THIS NUMBER OF

REQUESTS OR HAVE WE TAKEN A DIFFERENT APPROACH?

IN THE PAST, I'M TRYING TO DRAW ON MY MEMORY, I THINK THAT WE'VE HAD SEVERAL SITUATIONS WHERE WE'VE HAD MANY MORE THAN THIS. WE HARDLY EVER GET FUNDED MORE THAN ONE OR TWO. SO IT IS COMPETITION, TO SOME DEGREE THESE PROJECTS ARE COMPETING WITH THEMSELVES AS WELL AS OTHER PROJECTS IN THE AUSTIN METROPOLITAN AREA AS WELL AS OTHERS IN THE STATE. AND VERY FEW OF THEM ULTIMATELY GET FUNDED.

Alvarez: I JUST, YOU KNOW, --, YOU KNOW, OBVIOUSLY THERE'S MANY GOOD PROJECTS THERE BUT SORT OF THE BIG TICKET ONES ARE ON TOP, YOU KNOW, IF THAT'S A TOP PRIORITY AND TXDOT NEVER LOOKS BEYOND THAT, LOOKS AT SOME OF THESE INSTALLER ONES, SOME OF WHICH I LIKE A GREAT DEAL, TOO, THEN, YOU KNOW, THE IDEA FOR ME IS THAT, YOU KNOW, PUTTING THE REALLY LARGE ITEMS ON TOP THEN LIMIT THEIR REVIEW OR CONSIDERATION OF THE SMALLER PROJECTS THAT -- THAT COULD MORE EASILY BE FUNNEDND FUNDED THAT ARE KIND OF LOWER DOWN ON THE LIST.

ACTUALLY, IF I MIGHT RESPOND COUNCILMEMBER, THE SMALLER PROJECTS TEND TO DO WELL STATE-WIDE BECAUSE WHEN THEY HAVE I GUESS WHAT IS AN ALLOCATION AMONG THE VARIOUS DIFFERENT CATEGORIES OF WHAT THE -- WHAT IS SET UP, IF THEY HAVE ANY MONEY LEFT OVER, A SMALL PROJECT CAN GET THERE. THERE'S MONEY AVAILABLE AND IT'S NOT AN EXPENSIVE PROJECT. THEY ARE VERY INTERESTED IN SMALL PROJECTS AS WELL AS LARGE PROJECTS.

Alvarez: THESE ARE INDIVIDUAL APPLICATIONS, IT'S NOT ONE APPLICATION FROM THE CITY.

THAT'S CORRECT.

SAYING THESE ARE FIVE -- FIVE OR SIX PROJECTS WE WOULD LIKE CONSIDERED.

OKAY. WELL, THAT DOES SOUND LIKE WE ARE IN A PRETTY TIGHT TIME FRAME, LIKE I SAID THESE ARE VERY IMPORTANT

PROJECTS, WE WANT TO MAKE SURE THAT WE PUT SOME GOOD APPLICATIONS TOGETHER TO IMPROVE OUR CHANCES, SO -- SO I WILL SUGGEST THAT WE PUT THAT BACK ON THE CONSENT, MAYOR.

Mayor Wynn: THANK YOU, COUNCILMEMBER KIM, DO YOU CONSIDER THAT A FRIENDLY AMENDMENT AND MAYOR PRO TEM FRIENDLY AMENDMENT? YES. FOR THE RECORD, WILLIAM HODGE, DAN GARRISON, JUAN COTERA, DEALY AND STEVE HICKS ARE ALL HERE IN SUPPORT, AVAILABLE TO ANSWER QUESTIONS IF WE HAVE THEM. THANK YOU VERY MUCH, THANK YOU MR. LIBRACH. COUNCILMEMBER ALVAREZ?

Alvarez: DO YOU WANT TO SPECIFICALLY ADD THIS -- WAS IT THIS BIKE AUSTIN PROJECT TO THE LIST? BECAUSE I THINK THAT WAS SOMETHING THAT YOU MENTIONED. THAT THERE WAS ANOTHER PROJECT THAT -- THAT THEY FELT WAS WORTHY OF --

THAT'S CORRECT.

Alvarez: OF INCLUSION IN THIS GROUP OF PROJECTS.

YES, SIR.

Alvarez: I WILL OFFER THAT AS A FRIENDLY AMENDMENT TO ADD THAT TO THE LIST OF RECOMMENDED --

Mayor Wnn: COUNCILMEMBER KIM AND MAYOR PRO TEM -- I ASSUMED THAT WAS PART OF THE FRIENDLY. BUT AN ADDITIONAL ITEM ON NUMBER 6 WAS THE 6th PROJECT WHICH IS KNOWN AS THE BIKE AUSTIN PROJECT AS PART OF OUR SUBMISSION.

YES.

THANK YOU ALL VERY MUCH.

SO AGAIN WE HAVE A MOTION AND A SECOND ON THE TABLE TO APPROVE THE CONSENT AGENDA AS READ. FURTHER COMMENTS? COUNCILMEMBER ALVAREZ?

ONE MORE, SORRY. BUT THIS ONE WE HAD -- WE HAD A CITIZEN COMMUNICATION EXPRESSING CONCERNS OVER ITEM 4, I HAVEN'T REALLY HAD MUCH TIME TO REVIEW THAT - - THAT -- THOSE SPECIFIC CONCERNS, I WAS JUST CURIOUS THAT WE COULD POSTPONE THAT FOR A WEEK AND -- AND JUST TO TAKE A CLOSER LOOK AT -- AT THE -- AT THE ISSUES THAT HAVE -- THAT HAVE BEEN BROUGHT TO OUR ATTENTION.

COUNCILMEMBER, I'M SORRY AGENDA ITEM NO. 4?

Alvarez: YES.

Mayor Wynn: THE WASTEWATER OR SORRY TRAVIS COUNTY WATER CONTROL IMPROVEMENT DISTRICT NUMBER 17.

Futrell: I WOULD LIKE TO GET THE WATER UTILITY TO COME AND SPEAK TO THAT. IF WE COULD. THEY ARE GOING TO GO ROUND UP OUR WATER FOLKS HERE.

OKAY. IF WE NEED TO PULL IT, TAKE ACTION ON IT, THEN THAT'S FINE AS WELL, BUT I THINK WE ARE DOWN TO ONLY ONE PULLED ITEM.

RIGHT.

Alvarez: AFTER ALL OF THAT.

RIGHT.

Mayor Wynn: PERHAPS TO MOVE US ALONG THEN, COUNCILMEMBERS KIM AND MAYOR PRO TEM WOULD YOU CONSIDER IT FRIENDLY TO PULL ITEM NO. 4 FOR FRIENDLY DISCUSSION.

NO PROBLEM.

Mayor Wynn: ITEM NO. 4 WILL BE PULLED OFF THE CONSENT AGENDA. FURTHER COMMENTS, QUESTIONS FOR THE CONSENT AGENDA.

MAYOR, IF I COULD ASK FOR CLARIFICATION ON ITEM NO. 56, THE FORM ORDINANCE PASSED OUT ON THE DAIS, WHAT I

HEARD COUNCILMEMBER ALVAREZ SAYING WAS THAT THE RESOLUTION WAS TO DIRECT THE CITY MANAGER TO INITIATE A PROCESS TO LOOK AT AMENDING THE LAND DEVELOPMENT CODE TO ALLOW MOBILE FOOD ESTABLISHMENT IN CERTAIN ZONINGS DISTRICTS. I WANT TO MAKE SURE OF THE DIRECTION, THAT COUNCIL IS ABOUT TO APPROVE ON CONSENT INCLUDES DIRECTION TO CONSIDER ALTERNATIVES TO -- TO THE BACKUP THAT WAS PUT IN THE PROPOSED ORDINANCE. FOR ITEM 56. THAT'S WHAT I HEARD AND I JUST WANT TO MAKE SURE.

Alvarez: I THINK WHAT I SAID IS THE PROPOSED CHANGE TO THE CODE ADDRESSES THE -- THE ISSUES THAT HAVE BEEN RAISED THUS FAR. BUT IF STAFF -- IN PROCEEDING WITH THE PROCESSING OF THE LAND DEVELOPMENT CODE STAFF WISHES TO ADD ADDITIONAL SITE DEVELOPMENT RESTRICTIONS THAT THEY WORK WITH -- WITH THE COUNCIL AND THE AGENTS, SOME OF THE BUSINESS OWNERS THAT HAVE BEEN INVOLVED IN THE BUSINESS PROCESS AND THIS ASSOCIATION TO -- TO TALK THROUGH, YOU KNOW, SOME OF THOSE ADDITIONAL REQUIREMENTS BECAUSE -- AGAIN SO FAR NO OTHER REQUIREMENTS HAVE BEEN RECOMMENDED BY ANYONE AND SO I'M JUST TRYING TO AVOID A SITUATION WHERE WE ARE ADDRESSING, YOU KNOW, THE ISSUES THAT WE HAVE BEEN HEARING, BUT -- BUT, YOU KNOW, THEN WE MIGHT BE CREATING MORE ISSUES DEPENDING ON WHAT ADDITIONAL SITE DEVELOPMENT REQUIREMENTS ARE RECOMMENDED AND SO -- SO THAT THERE BE A PROCESS BEFORE THAT GOES TO PLANNING COMMISSION OR WHOEVER THAT NEEDS TO GO TO, OR IS THAT ZONING AND PLATTING COMMISSION, TO MAKE SURE THOSE STAKEHOLDERS HAVE -- HAVE PARTICIPATE IN DEVELOPING ANY ADDITIONAL REQUIREMENTS BEYOND WHAT'S SORT OF BEEN SUGGESTED.

I THINK THAT I UNDERSTAND, COUNCILMEMBER. IN -- I'LL JUST SAY THAT THERE -- THAT -- THAT MY OPINION IS THAT THERE IS A GAP IN THE CODE. WHEN I -- WHAT I HEAR THE COUNCIL DIRECTING US TO DO IS TO FILL THAT GAP AS IS APPROPRIATE TAKING INTO CONSIDERATION THE STAKEHOLDERS' INTEREST.

Alvarez: THANK YOU.

Mayor Wynn: THANK YOU FOR THE CLARIFICATION. AGAIN, FURTHER COMMENTS ON THE CONSENT AGENDA?

Alvarez: MAYOR, IF YOU COULD SHOW ME VOTING NO ON ITEM 21.

Mayor Wynn: MS. GENTRY, DO YOU HAVE THAT? THANK YOU. I APPRECIATE THE SUPPORT OF ITEM NO. 17, APPRECIATE THE CITY MANAGER FOR BRINGING THIS FORWARD. TECHNICALLY WE ARE EXTENDING THE LINE OF DUTY INJURY LEAVE AT FULL PAY FOR -- FOR MOTORCYCLE OFFICER STEVE CLAYBURN WHO WAS INVOLVED IN A HORRIFIC ACCIDENT SEVERAL MONTHS AGO. AND THIS IS A WAY OF -- OF KEEPING OFFICER CLAYBURN MOVING FORWARD. HE'S MADE GREAT PROGRESS. HE SPENT WEEKS IN INTENSIVE CARE, MONTHS NOW STILL IN REHAB. WE APPRECIATE THE SUPPORT. I ALSO WANT TO HATS OFF TO -- SINCE THEN, OFFICER DAVE ERSKIN ANOTHER MOTORCYCLE POLICE OFFICER WAS IN ANOTHER HORRIFIC ACCIDENT AND WE ARE -- OBVIOUSLY PULLING FOR OFFICER ERSKIN, IF NEED BE, TO TAKE THIS SAME ACTION FOR HIM WHEN THAT DATE IS APPROPRIATE. REAL QUICKLY, YOU KNOW, TRAFFIC FATALITIES REMAIN FAR AND AWAY THE MOST COMMON VIOLENT WAY ONE WILL LOSE THEIR LIFE IN AUSTIN. AND OUR POLICE DEPARTMENT TOOK -- TOOK SIGNIFICANT ACTION THIS PAST YEAR ON TRAFFIC ENFORCEMENT. WE WROTE OVER 235,000 TRAFFIC TICKETS, OVER 5,000 DWI ARRESTS, WHICH IS FAR AND AWAY THE MOST IN THE STATE AND FAR, FAR AND AWAY THE MOST PER CAPITA IN THE STATE. OUR MOTORCYCLE DIVISION, WHICH IS THE SECOND OR THIRD LARGEST MOTORCYCLE DIVISION IN THE COUNTRY, PLAYS A DISPROPORTIONATE ROLE IN THAT VERY AGGRESSIVE TRAFFIC ENFORCEMENT. AND IT'S A DANGEROUS JOB ON A MOTORCYCLE AND THESE TWO HORRIFIC ACCIDENTS THIS PAST YEAR HIGHLIGHT THAT. SO WE ARE VERY PROUD TO TAKE THIS ACTION FOR OFFICER CLAYBURN AND CERTAINLY ARE REPPED TO DO THE SAME FOR OFFICER ERSKIN IF THE NEED ARISES.

Futrell: THANK YOU, MAYOR.

Mayor Wynn: FURTHER COMMENTS ON THE CONSENT AGENDA? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0 WITH COUNCILMEMBER ALVAREZ VOTING NO ON ITEM 21. THANK YOU ALL VERY MUCH. SO, COUNCIL, I THINK WE COULD PROBABLY TAKE UP ITEM NO. 4, NOW THAT OUR -- OUR DEPARTMENT DIRECTOR IS WITH US. 4 REGARDING AMENDMENTS TO AN AGREEMENT WITH TRAVIS COUNTY WATER IMPROVEMENT DISTRICT NUMBER 17, PERHAPS A BRIEF PRESENTATION FROM MR. CHRIS LIPPE.

Alvarez: THE MAIN REQUEST WAS TO SEE IF WE CAN POSTPONE FOR A WEEK TO TAKE A LOOK AT THE ISSUES INVOLVED.

Mayor Wynn: LET'S ASK MR. LIPPE THEN OF WHAT A POSTPONEMENT --

THERE WOULD NOT BE A PROBLEM POSTPONING THIS TEN. THERE'S NO PARTICULAR ☐☐ URGENCY.

Mayor Wynn: OKAY. MOTION MADE BY COUNCILMEMBER ALVAREZ TO POSTPONE ITEM NO. 4 FOR ONE WEEK TO APRIL 27th, 2006. SECONDED BY COUNCILMEMBER LEFFINGWELL. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0. THANK YOU VERY MUCH. SO, COUNCIL, I THINK THAT LEAVES US WITH ONE DISCUSSION ITEM. THAT WE CAN TAKE UP BEFORE OUR LUNCH EXECUTIVE SESSION BREAK, THAT WAS ITEM NO. 57, WHICH WAS PULLED BY COUNCILMEMBER ALVAREZ.

Alvarez: I'M GOING TO PASS OUT A PROPOSED AMENDMENT MAYOR TO TRY TO EXPLAIN IT. I THINK IT'S ACTUALLY VERY CLEAR BUT YOU NEVER KNOW. WITH THESE -- WITH THESE

KIND OF THINGS. BASICALLY THIS IS AN ITEM THAT SEEKS TO GIVE PRIORITY TO LONG STANDING EVENTS THAT HAVE OCCURRED IN THE DOWNTOWN AREA, EVENTS THAT HAVE OCCURRED FOR 10 YEARS OR MONTH. AND THEY ARE NOT NECESSARILY SUBJECT TO THE SAME SYSTEM THAT WE HAVE FOR STREET CLOSURES AND EVENT PERMITS, WHICH REALLY IS A FIRST COME, FIRST SERVE SORT OF PROCESS. WE HAVE A LOT OF LONG STANDING EVENTS IN DOWNTOWN, TO AVOID THE POSSIBILITY OF SOMEONE BEING BUMPED, EVEN THOUGH THEY MAY HAVE DONE THEIR EVENT FOR 10, 20 YEARS, BASICALLY THIS SEEKS TO GIVE THEM, YOU KNOW, AT LEAST A -- AN OPPORTUNITY TO PRESERVE -- PRESERVE THE LOCATION AND -- AND SPECIFIC TIMING OF THOSE EVENTS. THE WAY THE ORDINANCE IS WRITTEN IT APPLIES TO ONLY SIXTH STREET AND CONGRESS AVENUE. I KNOW WE HAVE, YOU KNOW, LONG STANDING EVENTS IN OTHER PARTS OF DOWNTOWN AS WELL, LIKE THE FINE ARTS FESTIVAL AND THE TASTE OF MEXICO EVENT, MEXIC-ARTE EVENT THAT MAYBE ARE NOT YET AT THE 10 YEAR LEVEL, BUT WILL BE THERE PRETTY QUICK. JUST TO GIVE THOSE KIND OF EVENTS THE SAME KIND OF PROTECTION WAS GOING TO SUGGEST THAT WE -- THAT THESE RULES APPLY IN A CERTAIN -- IN A CERTAIN DISTRICT. NOT JUST -- I THINK THAT WILL BE HELPFUL PROBABLY FOR THOSE EVENT ORGANIZERS, ALSO FOR OUR STAFF SO THAT OUR STAFF WILL KNOW IF THEY ARE COMPETING APPLICATIONS, HOW TO PRIORITIZE THE REQUESTS. THIS WOULD ESTABLISH THAT BOUNDARY AS CESAR CHAVEZ ON THE SOUTH, 11th STREET TO THE NORTH, I-35 TO THE EAST, AND GUADALUPE STREET TO THE WEST. I THINK THAT I HAVE PASSED OUT THE LANGUAGE. THE WAY IT WOULD BE DIFFERENT IS THAT THIS APPLIES TO A DISTRICT VERSUS APPLYING JUST ON TWO STREETS WITHIN DOWNTOWN. THAT'S THE PROPOSAL. I DON'T KNOW IF THERE WILL BE ANY ISSUES WITH THAT OR IF STAFF WOULD HAVE ANY CONCERNS WITH DOING THAT.

THANK YOU, COUNCILMEMBER ALVAREZ. I WILL SAY THIS IS TECHNICALLY AN ITEM FROM COUNCIL FROM -- FROM MYSELF, COUNCILMEMBER ALVAREZ AND COUNCILMEMBER DUNKERLY AND TECHNICALLY IT WAS BROUGHT UP BECAUSE OF ONE -- A COUPLE OF PARTICULAR ITEMS THAT WERE PENDING. WE DID GET SOME GOOD LEGAL ADVICE AS

TO, YOU KNOW, HOW WE SHOULD GO ABOUT -- ABOUT AMENDING THE CODE FOR OUR STATED GOAL. I JUST WANT TO I GUESS IF LEGAL HAS ANY CONCERN, ABOUT EXPANDING THE GEOGRAPHIC BOUNDARY OF THIS AMENDMENT, PLEASE LET US KNOW.

MAYOR, COUNCILMEMBERS, JENNY GILCHRIST WITH THE LAW DEPARTMENT. I THINK THAT IT'S ENTIRELY WITHIN YOUR AUTHORITY TO EXPAND THE GEOGRAPHIC AREA. IN LOOKING AT THIS, WITH THE EXPANDED AREA, I WOULD SUGGEST ONE MORE CHANGE BECAUSE THERE'S NOW A SENTENCE IN THE PROPOSED ORDINANCE IN SUBSECTION D 1, THE LAST SENTENCE, WHICH SAYS THE APPLICATION MAY INCLUDE STREETS BE ADJACENT TO CONGRESS AND 6th. THAT BECOMES IRRELEVANT IF THIS ZONE IS EXPANDED. SO WE WOULD RECOMMEND THAT THAT PROPOSED SENTENCE ALSO BE STRUCK FROM THE -- FOR OUTDOOR EVENTS.

Alvarez: COUNCIL QUESTIONS, COMMENTS? SO WE HAVE A MOTION FROM COUNCILMEMBER ALVAREZ TO AMEND THE PROPOSED ORDINANCE AMENDMENT AS FURTHER REFINED BY CITY STAFF JUST NOW. AND I'LL SECOND. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0, THANK YOU ALL VERY MUCH.

Alvarez: THANKS, MAYOR.

Mayor Wynn: I THINK THAT GETS ALL THROUGH ALL OF OUR POTENTIAL DISCUSSION ITEMS THIS MORNING. SO WITHOUT OBJECTION, WE WILL NOW GO INTO CLOSED SESSION PURSUANT TO 551.0716 THE OPEN MEETINGS ACT TO TAKE UP POTENTIALLY FOUR AGENDA ITEMS. THESE WILL BE CONSULTATION WITH OUR ATTORNEY, ITEM NO. 60, RELATED TO JOSEPH ELLEN CHAMPION ET AL VERSUS THE CITY OF AUSTIN, 62, SETTLEMENT AGREEMENT WITH CC CARLTON INDUSTRIES, A RELATED ACTION ITEM NO. 84,, ITEM NO. 63 RELATED TO SAVE OUR SPRINGS VERSUS CITY OF AUSTIN AND ITEM NO. 64, RELATED TO ACQUISITION AND USE OF

PROPERTY FOR THE AUSTIN WATER UTILITY WATER TREATMENT FACILITIES, ALSO POTENTIAL ACTION ITEM NO. 85. WE ARE NOW IN CLOSED SESSION. I ANTICIPATE US COMING BACK AROUND NOON FOR THE CITIZENS COMMUNICATION. THANK YOU VERY MUCH.

Mayor Wynn: WE HAVE OUT OF CLOSED EXECUTIVE SESSION. IN EXECUTIVE SESSION WE TOOK UP ITEM NUMBER 60. NO DECISIONS WERE MADE. WE'RE NOW BACK IN OPEN SESSION FOR CITIZEN COMMUNICATION. WE'RE A FEW MINUTES LATE, APOLOGIZE FOR THE DELAY. OUR FIRST SPEAKER IS DAVID CONTERAS. WELCOME, DAVID. YOU WILL BE FOLLOWED BY DR. STERLING LANDS WHO WILL BE FOLLOWED BY PASTER MARK WEAVER. EITHER PODIUM. YOU WILL HAVE THREE MINUTES.

MR. MAYOR, MEMBERS OF THE COUNCIL, MY NAME IS DAVID CONTERAS, I'M THE DIRECTOR FOR A NEW ORGANIZATION CALLED FAITH AND COUNCIL IN ACTION. WE ARE A STRONG PRO FAMILY ORGANIZATION WORKING IN THE HISPANIC COMMUNITY. I'M HERE TODAY TO ADDRESS PROPOSITION 6 ON THE UPCOMING ELECTION IN MAY. THE BALLOT LANGUAGE DESCRIBING PROPOSITION 6 DOES NOT ACCURATELY REFLECT WHAT THE VOTERS ARE BEING ASKED TO DECIDE ON. THE BALLOT READS, SHALL THE CITY CHARTER BE AMENDED TO RESTORE A CITY EMPLOYEES ABILITY TO PURCHASE ADDITIONAL BENEFIT COVERAGE BY REPEALING ARTICLE 9, SECTION 4 OF THE CITY CHARTER. THE EMPLOYEE BENEFITS. ADDITIONAL BENEFIT COVERAGE SOUNDS SIMPLE, BUT WR NOT TALKING ABOUT ADDING TO PROVIDE COVERING FOR THE FAMILY, SUCH AS A PARENT, SPOUSE ARREST A CHILD. ANY AND ALL FAMILY MEMBERS CAN CURRENTLY BE ADDED TO THE BENEFITS OF A CITY EMPLOYEE AS ADDED UNDER CURRENT EMPLOYEE BENEFITS IN THE CITY CHARTER. SO MEMBERS OF THE COUNCIL, WHAT ARE WE REALLY TALKING ABOUT HERE? WE'RE TALKING ABOUT ADDING TO THE COVERAGE OF A CITY EMPLOYEE THOSE INDIVIDUALS WHO ARE NOT FAMILY. NOT FAMILY INCLUDES A DEFINITIVE POPULATION CALLED DOMESTIC PARTNERS. PROPOSITION 6 WOULD ALLOW DMES STIR PARTNERS TO BE COVERED BY A CITY EMPLOYEE. THE PROPOSITION 6 BALLOT LANGUAGE IS NOT CLEAR AND DETERMINATIVE LANGUAGE THAT ALLOWS THE VOTER TO

KNOW THEY ARE SUPPORTING INSURANCE COVERAGE FOR A DOMESTIC PARTNER, THAT A CITY EMPLOYEES DESIRES TO BE COVERED, I BELIEVE VOTERS SHOULD KNOW THAT PROPOSITION 6 DESIRES TO INCLUDE THE NON-FAMILY, UNMARRIED OR SHACK-UP STIPULATION. IT IS THIS CITY COUNCIL'S OBLIGATION TO DEVELOP A LANGUAGE THAT MAKES FULL DISCLOSURE TO THE VOTING PUBLIC. THE CURRENT LANGUAGE IS A DISSERVICE, DISINGENUOUS AND NEEDS CLARIFICATION FOR THE PUBLIC TO MAKE A FULLY INFORMED DECISION. THE EXISTING EMPLOYEE BENEFIT POLICY ALREADY COVERS FAMILY AND THE ADDITIONAL BENEFIT COVERAGE IN PROP 6 IS ALREADY AN EXTENSION TO NON-FAMILY MEMBERS. MEMBERS OF THE COUNCIL, AS WE ALL KNOW, TRUTH MATTERS IN ALL SITUATIONS. AND I'M APPEALING TO YOU TODAY FOR CLARIFICATION ON PROPOSITION 6. WHAT ARE WE REALLY TALKING ABOUT HERE? AND ARE YOU GOING TO -- ARE YOU GOING TO REPEAL ALL THE FAMILY LANGUAGE OUT JUST TO ADD DOMESTIC PARTNERSHIPS? I'M JUST HERE TODAY FOR CLARIFICATION. THANK YOU.

Mayor Wynn: THANK YOU, MR. CONTERAS. OUR NEXT SPEAKER IS DR. STERLING LANDS, WHO WILL BE FOLLOWED BY PASTOR MARK WEAVER. WELCOME, DR. LANDS.

THANK YOU VERY MUCH, MR. MAYOR, MAYOR PRO TEM, MEMBERS OF THE COUNCIL, CITY MANAGER. IT HAS BEEN REPORTED THAT THE CITY COUNCIL AND THE CITY MANAGER DO NOT KNOW THE COSTS OF ADDING DOMESTIC PARTNERS TO EXISTING BENEFIT COVERAGE. IT HAS BEEN GUESSTIMATED THAT THE COSTS WILL BE AROUND A QUARTER OF A MILLION DOLLARS. IT'S MY UNDERSTANDING THAT THE CITY MANAGER HAS ADMITTED THAT A REAL FORECAST OF FINANCIAL IMPACT TO THE CITY BUDGET WILL NOT BE DETERMINED UNTIL THE PREPARATION OF THE 2007 BUDGET CYCLE. GOOD PUBLIC POLICY ACCURATELY REVEALS THE COST OF PROPOSED BENEFITS. THE PASSAGE OF PROPOSITION 6 WILL ADD HIGHER RISK ENROLLEES, A NATURAL COMPONENT THAT HAVE DECISION WILL BE A HIGHER COST TO THE CITIZENS. NOT KNOWING HOW MUCH OF AN INCREASE THIS WOULD BE TO THE TAXPAYERS OF AUSTIN MAKES PROPOSITION 6 POOR PUBLIC POLICY. ADVOCATES OF DOMESTIC PARTNER BENEFITS CONTEND

THAT THE COST OF OFFERING THESE ADDITIONAL BENEFITS TO COHABITING COUPLES IS THE SAME AS THAT OF MARRIED COUPLES. THAT DATA -- AS A MATTER OF FACT, THE DATA THAT EXISTS ARGUES AGAINST THAT VIEW. WELL POINT, WHICH OWNS BLUE CROSS OF CALIFORNIA, AND A NUMBER OF OTHER MAJOR INSURERS, REVIEWED A POOL OF CALIFORNIA EMPLOYERS INSURING APPROXIMATELY 700,000 EMPLOYEES IN 2001. WELL POINT FOUND THAT COSTS FOR SAME SEX COUPLES WERE MUCH HIGHER THAN OPPOSITE SEX COUPLES. THE LOSS RATIO THAT IS HEALTH OCCASION COSTS AS A PERCENT OF PREMIUMS PAID FOR SAME SEX DOMESTIC PARTNERS WAS 17.1% HIGHER THAN THE REMAINING OPPOSITE SEX COUPLES. NO AMERICAN INSURANCE COMPANY -- LET ME REPEAT THAT -- NO AMERICAN INSURANCE COMPANY OFFERS DOMESTIC PARTNER HEALTH INSURANCE TO COHABITING COUPLES OUTSIDE OF THE SUBSIDIZED CORPORATE EMPLOYEE BENEFIT TYPE PLATFORMS. THE REASON IS THAT INSURERS MUST AVOID UNPREDICTABILITY. YOU SIMPLY CANNOT REASONABLY FORECAST THE HEALTH CARE COSTS FOR COHABITING COUPLES. INSURERS ARE UNWILLING TO RISK THE UNPROFITABILITY OF INDIVIDUAL DOMESTIC PARTNER INSURANCE POLICIES. IF THE COST IS THAT UNPREDICTABLE, I BELIEVE IT IS POOR PUBLIC POLICY TO RECOMMEND THAT TRAVIS COUNTY TAXPAYERS EXPOSE THEMSELVES TO THE UNPREDICTABLE HIGH RISK COSTS BY INCLUDING DOMESTIC PARTNER EMPLOYEE HEALTH BENEFITS. I AGREE WITH THE PREVIOUS SPEAKER WHO SAID THE PUBLIC DOES NOT KNOW THAT PROPOSITION 6 IS ACTUALLY ABOUT DOMESTIC PARTNERS, AND THE PUBLIC HAS A RIGHT TO KNOW THAT IN THE LANGUAGE OF THE BALLOT. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU, DR. LANDS. WELCOME, PASTOR WEAVER. YOU WILL BE FOLLOWED BY FRANCES MARTINEZ.

THANK YOU, MAYOR, MAYOR PRO TEM, CITY COUNCIL. THANK YOU FOR THE OPPORTUNITY TO COME AND SPEAK TO YOU TODAY. I WANT TO SAY EMPHATICALLY THAT I BELIEVE ALL EMPLOYEES ARE A EQUAL, BUT ALL RELATIONSHIPS ARE NOT EQUAL. THE VOTERS IN TRAVIS COUNTY NEED TO KNOW THAT DOMESTIC PARTNERS BENEFITS ARE THE PRIMARY ISSUE PROPOSED IN THE

BALLOT UNDERNEATH PROPOSITION 6. ACCORDING TO THE DOMESTIC PIP ORGANIZATION MANUAL PUT OUT BY THE NATIONAL GAY AND LESBIAN TASKFORCE EXPLICITLY STATES THAT THE GOAL OF DOMESTIC PIP BENEFITS IS TO ALLOW THE CONCEPT OF FAMILY TO INCLUDE A DIVERSITY OF RELATIONSHIPS, INCLUDING THOSE THAT ARE NOT FORMALLY RECOGNIZED THROUGH MARRIAGE. THESE DIVERSE RELATIONSHIPS WOULD INCLUDE UNMARRIED HETROSEXUAL COUPLES, SAME SEX COUPLES, NON-ROMANTIC COUPLES AND PARTNERS' CHILDREN. THIS BROAD RANGE OF ENTITLED BENEFICIARIES EMPHASIZES A DELIBERATE SHIFT AWAY FROM THE TRADITIONAL DEFINITION OF MARRIAGE AND FAMILY TOWARD A MAN-MADE DEFINITION OF FAMILY WHICH HAS UNLIMITED FORMATIONS. NOW, LISTEN TO THIS, ACCORDING TO THE WASHINGTON BLADE, THE NATIONAL GAY AND LESBIAN TASKFORCE REDUCED DOMESTIC PARTNER BENEFITS ON THE BASIS THAT THEY ARE PROHIBITIVELYLYLY HIGH. LISTEN TO THAT, THE WASHINGTON BLAZE REPORTS THAT THE GAY AND LESBIANS TASKFORCE, WHICH REPRESENTS THE HOMOSEXUAL AGENDA IN THE ENTIRE UNITED STATES, THEY THEMSELVES SAW THIS KIND OF DOMESTIC BENEFIT, PARTNER BENEFIT TOO PROHIBITIVELY IN ITS COST. SO THEY REDUCED IT AS A BOARD TO ITS MEMBERS FROM 100% TO 50%. EVEN PROPONENTS OF DOMESTIC PIP BENEFITS ACKNOWLEDGE THE PROHIBITIVELY HIGH COST OF NON-FAMILY BENEFITS. AND DATA FROM WELL SPRING VALIDATES THAT THE NATIONAL GAY AND LESBIANS TASKFORCE ACKNOWLEDGMENT OF HIGHER COST. THE CITY OF AUSTIN VOTERS NEED TO KNOW THAT PROPOSITION 6 ONZ THE DOOR FOR O.O. OPENS THE DOOR FOR AN UNBOUNDED, VERY LARGE BLANK CHECK. THE CORPORATE COUNCIL IS AN ORGANIZATION MADE UP OF BOTH EMPLOYERS AND EMPLOYEES, THE CRC ATTEMPTING TO DETERMINE WHAT CORPORATE AMERICA NEEDS TO DO TO ATTRACT AND RETAIN TOP LEVEL TALENT WRITES IN THEIR EXECUTIVE SUMMARY, DOMESTIC PARTNER BENEFITS ARE NEW AND THERE IS NO PUBLISHED ACTUARIAL DATA TO GUIDE HOW MANY EMPLOYEES WILL CHOOSE TO ACCEPT THE BENEFITS. VIRTUALLY NO TRACKING OF THE SPECIFIC COSTS INVOLVED AND NO UNIFORMITY IN THE DEFINITIONS OF WHAT CONSTITUTES AN ELIGIBLE DOMESTIC PARTNER.

ESTIMATES ARE EITHER UNRELIABLE OR OUT RIGHT GUESSWORK BECAUSE THEY IGNORE THE DISPROPORTIONATE NUMBER OF HIGH RISK PEOPLE ENROLLING IN THE BENEFITS PROGRAM AND THE INCREASED MEDICAL COSTS ASSOCIATED WITH SAME SEX COUPLES. [BUZZER SOUNDS] THE CURRENT CITY POLICY RESTRICTS THE BENEFIT COVERAGE FOR UNMARRIED COUPLES REGARDLESS OF SEXUAL ORIENTATION AS THEY FALL OUTSIDE THE PREDICTABLE REALM OF FAMILY. DOMESTIC PARTNER BENEFITS ARE HIGH IN COST BECAUSE THEY INVOLVE HIGH RISK, UNPREDICTABLE RELATIONSHIPS. THANK YOU FOR YOUR TIME.

Mayor Wynn: THANK YOU, PASTOR WEAVER. MAYOR PRO TEM.

Thomas: I THINK THE FIRST SPEAK WANTED A QUESTION ANSWERED. I THINK MAYBE LEGAL CAN ANSWER THAT FOR HIM. THAT'S DR. DAVID CONTERAS. WOULD SOMEBODY FROM LEGAL ANSWER?

Thomas: PASTER WEAVER, WHY DON'T YOU COME UP TO THE MIC?

IF I AM READING CORRECTLY, OUR CURRENT ARTICLE 9, SECTION 4 UNDERNEATH THE CITY'S CHARTER READS THAT WE PROVIDE EMPLOYEE BENEFITS FOR THOSE WHO ARE THE EMPLOYEE'S PARENTS, SPOUSE, CHILDREN, INCLUDING STEPCHILDREN, CHILDREN FOR WHOM A COURT GUARDED GUARDIANSHIP OR CONSERVATORSHIP HAVE BEEN ASSIGNED. ELIGIBLE GRANDCHILDREN, SISTERS, BROTHERS, GRANDPARENTS, PARENTS AND GRANDPARENTS OF EMPLOYEE'S SPOUSE. ISN'T THAT THE CORRECT LANGUAGE THAT WE HAVE ALREADY?

PASTOR WEAVER, ACTUALLY, THE LANGUAGE YOU'RE REFERRING TO IN THE CHARTER IS NOT A REQUIREMENT, IT'S A LIMITATION. IF YOU LOOK CLOSELY AT IT, IT SAYS THAT BENEFITS WILL NOT BE EXTENDED TO ANYONE EXCEPT THE PEOPLE IN RELATIONSHIP THAT YOU READ.

I UNDERSTAND THAT.

SO IT'S A LIMITATION. AND WHAT IS ON THE BALLOT FOR VOTERS TO CONSIDER IS LIFTING THAT LIMITATION. EVEN IF THE VOTERS APPROVE LIFTING THAT LIMITATION, THAT WILL NOT REQUIRE THAT CERTAIN BENEFITS BE PROVIDED.

RIGHT. THAT'S A WAY TO INTERPRET IT IN MY ESTIMATION OR MY OPINION, BUT CURRENTLY IF ANYONE IS WORRIED THAT THEIR FAMILY IS NOT BEING COVERED, THEY ARE BEING COVERED. BY REMOVING THAT LIMITATION WE NOW OPEN UP A FLOODGATES FOR OTHERS WHO ARE OUTSIDE THE FAMILY AT TAXPAYERS' EXPENSE. IS THAT NOT CORRECT?

NO, THAT IS NOT CORRECT.

Mayor Wynn: NO, THAT IS NOT CORRECT. THE CITY COUNCIL EACH BUDGET CYCLE APPROVES THE CITY MANAGER'S BUDGET THAT HISTORICALLY HAS INCLUDED SPECIFIC BENEFITS, INCLUDING HEALTH CARE BENEFITS TO EMPLOYEES. THE CITY CHARTER DOES NOT REQUIRE US TO INSURE CITY EMPLOYEES NOR ANY OF THEIR FAMILY MEMBERS. THAT'S AN INDIVIDUAL DECISION THAT'S MADE ANNUALLY AS WE APPROVE THE CITY BUDGET.

BUT WE WILL BE -- IN TRYING TO CHANGE THIS, WE WILL BE OPENING THIS UP TO PEOPLE BEYOND THE COVERAGE THAT ARE ALREADY THERE WHICH ARE ADEQUATE ENOUGH FOR ANYONE WITHIN THE FAMILY REALM, GRANDPARENTS, SISTERS, MOTHERS, EVERYBODY TO BE COVERED. >>

Mayor Wynn: CORRECT.

THIS IS AN ATTEMPT TO INVITE OTHERS OUTSIDE, SUCH AS LIVE-IN LOVERS, DOMESTIC PARTNERS WOULD NOW ALSO BE INCLUDED IN THIS.

MAYOR, IF I MIGHT. THINKING AS A LAWYER, AN INVITATION, THAT'S NOT AN INVITATION. WHAT THE VOTERS ARE BEING ASKED TO CONSIDER IS WHETHER OR NOT TO LIMIT THIS STRICT LIMITATION ON WHO THE CITY CAN DECIDE WILL BE COVERED. IT NOT MANDATING, IT'S NOT DIRECTING, IT'S NOT INVITING, IT'S JUST REMOVING A PARTICULAR LIMITATION.

THANK YOU FOR YOUR TIME. I UNDERSTAND THE DICKERING THERE, BUT TO ME IT IS AN OPENING UP. THANK YOU.

Thomas: LET ME ADDRESS THAT.

Mayor Wynn: THANK YOU, PASTOR WEAVER.

Thomas: WHAT YOU'RE SAYING, MR. SMITH, IS TRUE, BUT WHAT PASTOR WEAVER IS SAYING, THAT'S WHAT THE VOTERS NEED TO KNOW EXACTLY, AND IT IS OPENING, WHAT -- OPENING UP WHAT HE'S SAYING AS OPPOSED TO NOT JUST THE FAMILY, BUT OPENING IT TO EVERYTHING. I THINK THAT'S WHAT WE NEED TO BE CLEAR TO THE CITIZENS. AND ALSO LET ME SAY THIS TOO, AND I'M WAITING FOR -- I THINK I REQUESTED MY STAFF TO HAVE THE CITY MANAGER FROM BLUE CROSS AND UNITED WAY, WHOEVER ARE OUR INSURANCE CARRIERS, TO GIVE ME THE INFORMATION ON LETTERHEAD FOR THE COSTS, BECAUSE THAT'S THE PROSECUTE BIGGEST PROBLEM I HAVE HAD IS BECAUSE WE DON'T HAVE A COST FACTOR HERE, JUST AN ESTIMATE, AND THAT'S NOT FAIR TO THE VOTERS.

Futrell: AND JUST A QUICK ANALYSIS OF THAT. WE HAVE HAD AN STENS EXTENSIVE REVIEW DONE BY THE INTERNAL AND EXTERNAL HR CONSULTANTS GIVING US OUR BEST ESTIMATE BASED ON SOME HISTORICAL TRENDS AND ORGANIZATIONS THAT HAVE HAD EXPANSIVE AND DIFFERENT KINDS OF COVERAGE. WE HAD TO EXTRAPOLATE THOSE TRENDS AND PASSED ITS VARIANCES. WE HAD AN EXTERNAL CONSULTANT LOOK AGRICULTURE IT, WE HAD OUR INTERNAL CONSULTANT LOOK AT IT. AND THEY GAVE US A RANGE OF ONGSES OF WHAT IT WOULD COST BASED ON THOSE EXPERIENCES. WE HAVE SOME INFORMATION, WE WILL SHARE IT WITH YOU. WE DO NOT DO IT INTERNALLY, WE DID IT EXTERNALLY. WE RESEARCHED IT BOTH LOCAL AND NATIONALLY FOR ACTUAL COST TRENDS FOR COMPANIES AND ORGANIZATIONS THAT HAVE EXPANDED THEIR HEALTH INSURANCE BENEFITS. AND SO WE DO HAVE DATA AND WE WILL SHARE THAT WITH YOU.

Thomas: WILL THE CITIZENS GET AN OPPORTUNITY TO SEE THE DATA? >>

Futrell: ABSOLUTELY. THAT WAS THE GENESIS OF THE ESTIMATES THAT HAVE BEEN USED.

Thomas: OKAY.

Mayor Wynn: THANK YOU, MAYOR PRO TEM. FURTHER COMMENTS, QUESTIONS? IF NOT, WE'LL CONTINUE ON WITH THE CITIZEN COMMUNICATION. OUR NEXT SPEAKER IS FRANCES MARTINEZ. WELCOME. YOU WILL HAVE THREE MINUTES AND BE PAUL BID PAUL HERNANDEZ, WE WILL BE FOLLOWED BY MARCOS DELEON.

GOOD AFTERNOON, MAYOR, MAYOR PRO TEM, CITY COUNCILMEMBERS, CITY MANAGER. MY NAME IS FRANCES MARTINEZ AND I'M DEPUTY DIRECTOR FOR THE ELDERLY, LULAC DISTRICT 7. WITH ME ALSO HERE IS MARCUS DELEON, PRESIDENT OF LULAC 4814. ROBERT DONNELLY, GAVINO FERNANDEZ. WE'RE HERE TO EXPRESS OUR CONCERNS AND WE'VE TALKED TO MANY PEOPLE, MANY MEETINGS WITH OUR NEIGHBORHOODS. WE ARE VERY MUCH OPPOSED TO THE WATER TREATMENT PLANT AT THE ROY GUERRERO SITE. PLEASE LOOK AT THIS SITE VERY CAREFULLY. THIS IS A BEAUTIFUL SITE FOR ALL OF US, FOR ALL CITIZENS TO ENJOY AND TO HAVE A WATER TREATMENT PLANT THERE. THIS IS -- I JUST DON'T KNOW IF THIS IS APPROPRIATE AT ALL. IF YOU WOULD PLEASE FIND IT IN YOUR HEARTS TO SAY ABOUT THIS WATER TREATMENT PLANT AND JUST SAY NO TO IT. DO NOT PUT THIS WATER TREATMENT PLANT AT THIS BEAUTIFUL SITE. ALSO, I'M HERE TO LET Y'ALL KNOW ON THE PUMP PARK, I PASSED BY THERE THIS MORNING. YES, THEY WERE CLEANING IT, BUT APPARENTLY I KNOW WE ALSO ARE NEEDING MORE MAINTENANCE THERE AS THE SUMMER IS COMING. ALSO, WE ARE NEEDING A SPRAY FOUNTAIN, IF AT ALL POSSIBLE THAT YOU COULD PUT IT IN YOUR BUDGET, MAYBE FOR NEXT YEAR, BUT WE ARE NEEDING ONE. WE ALSO HAVE OUR COMAL PARK AT 300 O'COE MALL STREET AND THERE WE HAVE -- 300 COMAL STREET. AND THE CHILDREN HAVE HARDLY ANYTHING TO DO. WE DON'T HAVE ANY TABLES, PICNIC TABLES AT ALL. WE DO HAVE TWO OF THEM; HOWEVER, WE DON'T HAVE ANYTHING ELSE. WE'RE ALSO WANTING TO HAVE A SPRAY FOUNTAIN SO THEY CAN ENJOY THE SUMMER. AND THAT PROGRAM, A LOT OF CHILDREN COME TO IT, SO PLEASE SEE IF WE CAN PUT IT IN

THE BUDGET. ALSO, I HAVE ANOTHER CONCERN FROM OUR RESIDENTS THAT LIVE ON 12TH AND ANGELINA, 13TH STREET AND 14TH STREET, THE BOB HARRISON STREET. HERE WE HAVE A LOT OF CARS THERE THAT SOMETIMES RESIDENTS CAN'T EVEN PARK, AND THOSE CARS HAVE BEEN WORKED ON AND THEN THEY'RE SOLD. SOMETIMES THERE'S A RUCKUS THERE THAT THE RESIDENTS FEEL LIKE SOMETHING, LIKE A FIGHT MIGHT BE BREAKING OUT. SO IF WE CAN JUST HAVE CODE ENFORCEMENT TO LOOK INTO THIS, WE'D APPRECIATE IT. AND ONCE AGAIN, I DO WANT TO REITERATE TO PLEASE LOOK AT THIS PLANT. WE ENJOY THIS PARK AND WE WANT TO CONTINUE TO ENJOY IT. IT'S JUST LIKE A ZILKER PARK. SO THANK YOU.

Mayor Wynn: THANK YOU, MS. MARTINEZ. I THINK I CAN SPEAK FOR THE ENTIRE COUNCIL, WE'RE LOOKING VERY CLOSELY AT EVEN THE NEED FOR A NEW DRINKING WATER TREATMENT PLANT, AND OF COURSE ITS LOCATION. AND WE TAKE YOUR COMMENTS VERY, VERY SERIOUSLY. THANK YOU. PAUL HERNANDEZ, WELCOME. YOU WILL BE FOLLOWED BY MARCUS DELEON.

THANK YOU, MAYOR. MY NAME IS PAUL HERNANDEZ. I AM A MEMBER OF EL CONCILIO, ONE OF THE FIRST COALITION OF NEIGHBORHOOD ASSOCIATIONS IN THE EAST SIDE. THE FACT THAT THIS SITE WOULD EVEN BE CONSIDERED IS AN AFFRONT. NOT ONLY TO THE GUERRERO FAMILY, BUT TO ALL OF THE MEXICAN-AMERICAN FAMILY. IT IS AN AFFRONT TO ALL THOSE PEOPLE THAT LOVE GREEN PARKLAND. AND WHEN YOU SAY THAT YOU'RE LOOKING CLOSELY AT IT, AND WE HAVE, FOR EXAMPLE, COUNCILMEMBER MCCRACKEN ALREADY PROCLAIMING PUBLICLY WHERE HE'S AT, THAT DOESN'T TELL ME HE'S LOOKING AT IT. THAT TELLS ME -- AND ONE OF THE WORST THINGS THAT A CITIZEN CAN HEAR IS THAT IT'S ALREADY A DONE DEAL, AS A LOT OF US HAVE HEARD. HOPEFULLY YOU WILL MAKE SURE THAT THAT IS NOT A DONE DEAL, THAT A DONE DEAL IS NO LONGER IN THE VOCABULARY OF OUR CITY GOVERNMENT, THAT WE DO HAVE OPEN CITY GOVERNMENT. NOW, THE FACT THAT THE GUERRERO PARK IS NOT DEVELOPED ACCORDING TO THE WISHES OF THE PEOPLE IS A MATTER OF PRIORITIES. THE WRONG PRIORITIES HAVE BEEN ADDRESSED BY PREVIOUS ADMINISTRATIONS AS WELL AS PREVIOUS CITY COUNCILS.

THAT PARK -- THERE WERE MANY PROMISES MADE WHEN THAT PARK ORIGINATED. THOSE PROMISES ARE NOT BEING DEALT WITH. THEY'RE NOT COMING THROUGH. WHAT WE NEED IS FOR YOU TO LIVE UP TO THOSE PROMISES AND FOR YOU TO MAKE SURE THAT OUR MEXICAN-AMERICAN COMMUNITY IS PUT IN A PLACE OF DIGNITY AND RESPECT LIKE IT SHOULD BE. NOW, THE ONLY OTHER THING THAT I CAN TELL YOU IS THAT I HOPE THAT UNLIKE COUNCILMEMBER MCCRACKEN THAT THE REST OF YOU HAVE NOT MADE UP YOUR MINDS. AND IF YOU DO HAVE A POSITION THAT IT WILL BE IN CONSIDERATION OF NOT CONSIDERING THE PARK, ANY PARK, AND TO REALLY LOOK CLOSELY, LIKE THE MAYOR SAID, AT EVEN IF THERE IS A NEED, AND WHAT IS WRONG WITH THE PRESENT SITE? IS IT DOLLARS? IS THE ONLY REASON WE'RE MOVING THE PLANT BECAUSE OF DOLLARS? IF THAT'S THE CASE, THEN THAT TELLS US WHERE WE STAND. [BUZZER SOUNDS] I'LL JUST FINISH WITH THIS, MAYOR, THAT WE ARE WAY -- OUR HUMAN DIGNITY HAS NO DOLLAR AMOUNT. THANK YOU.

Mayor Wynn: THANK YOU, MR. HERNANDEZ. COUNCILMEMBER MCCRACKEN.

McCracken: PAUL, I JUST WANTED TO SAY THAT THE STATESMAN IS GOING TO BE PRINTING A CORRECTION TOMORROW. I'VE NEVER SAID I SUPPORT THE PLAN IN THE PARK, AND I DON'T. AND ONE OF THE PURPOSES OF HAVING THE BOARDS AND COMMISSIONS PROCESS IS TO GET GOOD INPUT FROM THE PUBLIC. SO YOU WILL SEE THAT CORRECTION IN TOMORROW'S PAPER. I'VE NEVER SAID I SUPPORT IS IN THE PARK AND I DON'T SUPPORT IT THERE.

THANK YOU, COUNCILMEMBER MCCRACKEN.

Mayor Wynn: WELCOME MARCUS DELEON. YOU WILL BE FOLLOWED BY MARCELO TAFOYA.

THANK YOU FOR ALLOWING ME TO SPEAK TODAY. I'M MARCUS DELEON, I AM CURRENTLY PRESIDENT OF THE EAST AUSTIN NEIGHBORHOOD ASSOCIATION WHICH WAS CHARTERED IN 1974 AND CHARTERED WITH THE CITY OF AUSTIN IN 1978. PARKS HAVE BEEN A BIG ISSUE IN OUR COMMUNITY. IT CONTINUES TO BE A BIG ISSUE. WE STARTED

A PETITION IN OPPOSING THE TREATMENT PLANT IN GUERRERO PARK. WE HAD A NEIGHBORHOOD MEETING REEBTLY IN OUR -- RECENTRECENTLY IN OUR NEIGHBORHOOD. IT IS -- THE IDEA IS SIMPLE. IT'S JUST THAT YOU DON'T TAKE AWAY PARKLAND. EVERYTHING ELSE BECOMES IRRELEVANT. WHAT'S RELEVANT IS THAT WE HAVE PARKLAND. AUSTIN IS BECOMING A MAJOR METROPOLITAN CITY. YOU JUST DON'T DO THAT. I THINK THAT'S THE PREMISE THAT EVERYBODY FELT WHO WAS THERE AT THAT MEETING. FOR THOSE OF US WHO LIVE IN EAST AUSTIN, IT'S A DIFFERENT THING FOR US. IT'S ANOTHER AFFRONT, ANOTHER STEPPING ON US, ANOTHER THING BAD HAPPENING TO US. IT'S NOT A GOOD FEELING. AS YOU KNOW FOR MANY YEARS, MAYOR, I HAVE TRIED TO GET THAT BRIDGE, THAT GAP BETWEEN THE CITIZENS OF OUR COMMUNITY AND THE CITY GOVERNMENT WITH POLICE AND EVERYBODY ELSE, AND SO IT'S DIFFICULT. YOUR JOB GETS MORE DIFFICULT WHEN THESE THINGS COME ACROSS. AND THERE WERE VERY, VERY ANGRY PEOPLE AT THAT MEETING, INTERRUPTING SOME OF THE STUFF. BUT THEY'RE ANGRY FOR A VERY GOOD REASON. THOSE KIND OF THINGS WE DON'T NEED IN OUR COMMUNITY ANYMORE. THOSE THINGS HAVE TO BE PUT TO THE WAY SIDE. WE HAVE NOT. WHAT I'M URGING PEOPLE TODAY, AS PRESIDENT OF LULAC, IS WE HAVE ELECTIONS COMING UP, WE HAVE MAJOR ELECTIONS, WE HAVE PROPOSITIONS, COUNCILMEMBERS, THE MAYOR IS GOING FOR OFFICE. WE ENCOURAGE EVERY CITIZEN, INCLUDING OUR COMMUNITY IN EAST AUSTIN AND MONTOPOLIS AND WHEREVER WE HAVE VOTERS, AND ALL THESE YOUNG VOTERS WHO WALKED OUT RECENTLY WHO ARE REGISTERED TO VOTE, THIS IS YOUR CHANCE TO TELL YOUR CITY GOVERNMENT WHAT YOU THINK. AND WE URGE YOU BETWEEN MAY THE 1st AND MAY THE 8TH WE HAVE EARLY VOTING THROUGHOUT THE CITY OF AUSTIN AND WE URGE EVERYONE TO EXERCISE THAT VOTE THAT WE HAVE IN THIS COUNTRY BECAUSE THESE ISSUES, THE TREATMENT PLANT, PROPOSITION 1, PROPOSITION 6, ALL OF THESE ISSUES THAT ARE OF CONCERN TO US MUST BE AT THE POLLING PLACE SO. WE URGE THROUGHOUT THE WHOLE CITY OF AUSTIN TO TAKE THAT ONE STEP, WALK IN THERE AND VOTE YOUR CONSCIENCE AND MAKE A CHANGE. YOU HAVE AN AGENDA. THE AGENDA IS TO PROTECT THE PARK.

THEN CARRY THAT AGENDA. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU, MR. DELEON. ACTUALLY, I MISSPOKE. THE NEXT SPEAKER ACTUALLY IS JOHN GOLDSTONE. STORY. JOHN, YOU WILL BE FOLLOWED BY MARCELO TAFOYA. WELCOME, JOHN. YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY MARCELO.

SORRY TO INTERRUPT YOUR SUBJECT. THANK YOU, MAYOR WYNN, COUNCILMEMBERS, MY NAME IS JOHN GOLDSTONE, A REAL ESTATE ATTORNEY AND A MEMBER OF THE SWEET HILL NEIGHBORHOOD ASSOCIATION. I ALSO REPRESENT SEVERAL OWNERS OF EAST 12TH STREET PROPERTY. I SPOKE BEFORE THIS BODY EXACTLY ONE YEAR AGO AT THE CONCLUSION OF THE EAST 12TH STREET URBAN RENEWAL PLAN AMENDMENTS. I'M HERE ONE YEAR LATER TO ASK YOU TO INSTRUCT THE STAFF TO GET OFF THEIR SORRY BUTTS AND DELIVER TO THE COMMUNITY, THE NEIGHBORHOODS AND STAKEHOLDERS WHATEVER DRAFT OF THE PROPOSED NCCD EXISTS SO THAT I CAN ASSIST AND FULFILL MY COMMUNITY OBLIGATION TO FINISH THE DRAFTING OF THE NCCD AND MAKE IT EASIER FOR DEVELOPERS TO DEVELOP IN CONCERT WITH THE NEIGHBORHOODS. A DENSE URBAN COMMUNITY OF NEIGHBORHOODS, PEOPLE AND SERVICES. ONE OF YOUR STAFF MEMBERS HAS ASURD ME THAT THE VMU IS NOT TO APPLY TO THE EAST 12TH STREET CORRIDOR. ANOTHER ONE HAS ASSURED ME THAT ONLY THE MORE RESTRICTIVE PROVISIONS SHALL PROSECUTE APPLY, BUT DUE TO THE SECRECY -- AND I HATE TO SUGGEST INCOMPETENCE, WITH WHICH THE CITY OPERATES RELATIVE TO THE EAST SIDE, I HAVE NO IDEA WHAT TO BELIEVE. WE ALL WORK LONG AND HARD ON THE AMENDMENTS TO THE URBAN RENEWAL PLAN. WE DEALT WITH PARKING, IMPERVIOUS COVER, F.A.R.'S, COMPATIBILITY, WHICH YOU MAY REMEMBER WAS SHOCKINGLY WAIVED. AND DESIGN GUIDELINES. IN FACT, OUR PLAN FOR EAST 12TH LOOKS A LOT LIKE THE MODEL THAT WAS USED FOR THE VMU. I'M DOING THIS METHOD OF CITIZEN COMMUNICATIONS FOR SEVERAL REASONS, ONE OF WHICH IS PROPOSITION 1, AND INDIRECTLY PROPOSITION 2, BOTH OF WHICH I WHOLEHEARTEDLY SUPPORT. THIS FAILED EAST 12TH STREET PROCESS, AMD, YOUR VOTE ON THE POLICE CONTRACT, ALL PROVE THE NEED FOR SUNSHINE,

FULL AND ON KLEIN DISCLOSURE. I HAVE NO PROBLEMS DISCUSSING THESE ISSUES IN PUBLIC. YOUR RESPONSES WILL HOPEFULLY BE DIRECT TED PUBLIC THROUGH YOUR FUTURE PUBLIC ACTIONS RATHER THAN AS IS NORMAL DIRECTLY TO ME AS AN ADVOCATE AND HIDDEN FROM THE PUBLIC. HOWEVER, QUITE OBVIOUSLY THERE ARE OTHER INTERESTS AND ORGANIZATIONS THAT DO NOT WANT PUBLIC DISCUSSIONS AND AVETTING OF THE PROCESS. AMD, SOME DEVELOPERS AND OF COURSE THE POLICE UNION NEED THE SECRECY UNDER WHICH THIS CITY CURRENTLY AND DISGRACEFULLY OPERATES. DIGRESSING FOR A MOMENT TO HEIGHTS AND AFFORDABLE HOUSING. YOUR HEIGHT GIVEAWAYS ON THE SPRING PROJECT WERE HOR REN DID DUSHORRENDOUS AND YOU SHOULD FEEL ASHAMED. YOUR EXTRACTIONS NEED TO BE BURDENSOME. IF A DEVELOPER CANNOT AFFORD THE EXTRACTIONS, THEY'LL BUILD THE 120 FEET THAT IS ALLOWED. THINK. NO LEGITIMATE DEVELOPER STARTS A DEAL COUNTING ON GETTING VARIANCES FROM THE CITY. PLANS FLOATED ON THE EAST SIDE AND ELSEWHERE HAVE AN EXTRA FLOOR OR TWO OF RESIDENTIAL, BEING VERY COOPERATIVE AS A NEIGHBORHOOD ON PARKING AND FORCING THE DEVELOPER TO SELL 40% OF THE ADDITIONAL UNITS OF THE EXTRA FLOORS AT COST TO ONE OF THE NEIGHBORHOOD DEVELOPMENT CORPORATIONS. COST BEING DETERMINED NOT BY THE DEVELOPER, BUT BY WHAT THE NONPROFIT DEVELOPMENT CORPORATION CAN AFFORD TO PAY TO PROVIDE THE RENTS THEY NEED. THIS DEVELOPMENT CORPORATION CAN THEN BRING THE RENTS DOWN TO A PERMANENTLY LOW, AND I MEAN A PERMANENTLY LOW LEVEL FOREVER. [BUZZER SOUNDS] ONE QUICK SECOND. WE WILL THEN DISPURSE THE TEACHERS AND FIREMEN AMONG THEIR NEIGHBORS IN THE BEAUTIFUL HI-RISES. MAKE IT POLICY AND THE MARKET WILL LN. YOU HAVE THE PAIR TO TRADE HEIGHT TO THE DEVELOPER FOR AFFORDABLE, PERMANENTLY AFFORDABLE RENTAL, NOT OWNERSHIP UNITS. GETTING BACK TO MY ORIGINAL POINT REQUEST, PLEASE INSTRUCT THE STAFF AND REQUEST THE ARA TO GET ME A DRAFT OF THE NCCD, GET THE THING DONE. CONSISTENT WITH THE ALREADY APPROVED URBAN RENEWAL PLAN AMENDMENTS, PUBLICLY ALL IN THE SPIRIT

OF PROPOSITION 1, OPEN AND HONEST GOVERNMENT.

Futrell: LET'S RESPOND TO THAT AND WE'LL GET SOMEONE OFF THEIR SEAT AND HERE TO TALK TO YOU. GREG, CAN YOU QUICKLY TALK ABOUT THE PUBLIC PROCESS AND HOW THE NCCD IS BEING RELEASED AND WHEN?

THE NCCD FOR EAST 12TH STREET IS ALREADY IN PROCESS RIGHT NOW. AND WE ANTICIPATE PUBLIC MEETINGS TO OCCUR IN MAY, ALSO GOING TO THE URBAN RENEWAL BOARD IN MAY AND GOING TO PLANNING COMMISSION MOST LIKELY AT THE END OF MAY. AND IT WILL BE BROUGHT BACK TO THE FULL COUNCIL IN JUNE. I APOLOGIZE THAT IT HAS TAKEN TO LONG. WE HAVE DONE SOME HISTORIC SURVEYS OF THAT AREA THAT ARE REQUIRED BY THE NCCD PROCESS AND IT IS A VERY COMPLICATED PROCESS, BUT WHAT WE ARE GOING TO BRING BACK BEFORE YOU IS AN NCCD ZONING CASE THAT WILL MIRROR THE URBAN RENEWAL PLAN AS IT EXISTS TODAY. AND IT'S NOT OUR INTENT TO CHANGE THE URBAN RENEWAL PLAN UNLESS THERE IS CONSENSUS AT THESE MEETINGS THAT WE'RE GOING TO HAVE, THAT EVERYONE WANTS TO HAVE THOSE CHANGES. AND IF THERE ARE PARTICULAR CHANGES THAT PEOPLE WANT VMU OR THEY WANT SOMETHING SPECIFICALLY IN THAT, STAFF WOULD SUGGEST THAT THEY ACTUALLY COME BACK AS AN AMENDMENT AFTER WE GET THE NCCD IN AND APPROVED AND ON THE GROUND.

Futrell: SO YOU'RE ANTICIPATING IN THE NEXT WEEK OR TWO THAT ALL OF THIS STARTS? HOW DO PEOPLE FIND OUT WHERE THE MEETINGS ARE? WILL THEY BE POSTED ON THE CITY WEBSITE, NOTED? HOW DOES THAT HAPPEN?

WE'RE GOING TO CONTACT THE REGISTERED NEIGHBORHOOD ASSOCIATION, INCLUDING SWEED HILL, AND I'VE ALSO TOLD MR. GOLDSTONE THAT I WOULD GET HIM A DRAFT OF THE COPY.

Futrell: CONTACT HIM INDIVIDUALLY.

I WILL CONTACT HIM INDIVIDUALLY ONCE THAT BECOMES AVAILABLE. THAT WILL BE A PUBLIC MEETING THAT WILL TAKE PLACE BEFORE THE COMMISSION MEETINGS BECAUSE

WE WE WANT TO SHARE THIS INFORMATION WITH THE COMMUNITY BEFORE WE GO FORWARD TO PORDZ AND COMMISSIONS.

AT LEAST TWO BOARD AND COMMISSION MEETINGS TELEVISED.

I'M NOT SURE IF THE URBAN RENEWAL BOARD IS TELEVISED. THE PLANNING COMMISSION IS CERTAINLY TELEVISED.

Mayor Wynn: THANK YOU, MR. GUERNSEY. COUNCILMEMBER MCCRACKEN.

McCracken: I WANTED TO COMMENT ON THE OTHER PART OF IT, WHICH IS THE VERTICAL MIXED USE PROVISIONS, WHICH I'M ONE OF THE AUTHORS OF IT. IT WOULD NOT TRUMP THE EAST 12TH STREET NCCD BECAUSE THAT IS A MORE SPECIFIC ORDINANCE AND THERE IS A LOT OF OVERLAP. AND ON -- AT LEAST WHAT I CAN SPEAK TO FROM HAVING BEEN PART OF THE DESIGN STANDARDS AND VERTICAL MIXED USE PROCESS, JOHN, IS THAT WE REALLY DID STRIVE TO HAVE A VERY OPEN, INCLUSIVE PROCESS, INCLUDING I THINK SOMEWHERE OVER 50 PUBLIC MEETINGS OVER TWO YEARS. WE'VE HAD AT THE NEGOTIATING TABLE, ALL MEETING OPEN TO THE PUBLIC WE'VE HAD AUSTIN NEIGHBORHOOD COUNCIL, LIVEABLE CITY, REAL ESTATE COUNCIL, INDIVIDUAL NEIGHBORHOOD ASSOCIATIONS AND PLANNERS AND ARCHITECTS, AND SO WE'VE REALLY STRIVED TO HAVE A VERY INCLUSIVE PROCESS AND THAT'S WHY THE FINAL PROJECT, THE COUNCIL VOTED ON, WAS SUPPORTED BY ANC AND LIVEABLE CITY AND BY THE REAL ESTATE COUNCIL BECAUSE WE DID TAKE THAT TIME TO DO IT. SO I KNOW HOW IMPORTANT IT IS TO GET ALL THE INPUT FROM EVERYBODY AND I REALLY HOPE AND DO BELIEVE THAT WE DID HAVE THAT KIND OF OPEN MODEL PROCESS FOR THE DESIGNS STANDARDS AND VERTICAL MIXED VIEW. WE WILL HAVE SOME OF THE WORKSHOP SESSIONS HERE IN THE NEXT FEW WEEKS, AND IF YOU'LL GIVE US YOUR CONTACT INFO, WE'LL MAKE SURE YOU'RE ON THE NOTICE LIST. WE HAVE ALMOST 200 PEOPLE IN THE COMMUNITY ON THAT NOTICE LIST. WE'LL MAKE SURE WE INCLUDE YOU BECAUSE YOU'VE GOT A LOT OF EXPERTISE IF YOU WOULD

LIKE TO MAKE SURE YOU'RE PART OF T.

Mayor Wynn: THANK YOU, COUNCILMEMBER. AND THANK YOU FOR YOUR PATIENCE. WELCOME BACK.

THANK YOU VERY MUCH. FIRST OF ALL, I WANTED TO INFORM YOU, GLORIA MORENO COULDN'T BE HERE. SHE HAD AN EMERGENCY SITUATION. SHE WAS WITH THE HERNANDEZ NEIGHBORHOOD ASSOCIATION AND THEY ARE AGAINST THE WATER TREATMENT PLANT AT GUERRERO PARK. SHE WANTED ME TO PASS THAT ON. ONCE AGAIN, THANK YOU, MAYOR, THANK YOU, MAYOR PRO TEM. MY NAME IS MARCELO TAFOYA. I'M CO-FOUNDER OF THE AUSTIN TEJANO MUSIC COALITION, SEEKING TO BRING BACK TEJANO MUSIC BACK TO RADIO. SEVERAL MONTHS AGO A LARGE CONGLOMERATE PURCHASED SEVEN RADIO STATIONS IN AUSTIN AND DECIDED TO REMOVE TEJANO MUSIC OFF THE AIR. ALL WE'RE SEEKING IS FOR IT TO RETURN. IF THOSE WHO NEED INFORMATION ON TEJANO MUSIC, THE ARTICLE IN XL SAID THAT TEJANO MUSIC STARTED AND SIDE WITH SELENA. THAT'S NOT TRUE. TEJANO MUSIC STARTED BACK IN 20'S. AND FOR US NATIVE AMERICANS IT STARTED EVEN BEFORE THE PILGRIMS CAME ILLEGALLY TO THE UNITED STATES. AND SO CONSEQUENTLY AN ARTIST SUCH AS THOSE WHO MOVE THE ORCHESTRAS FORWARD AND OTHER VARIOUS ARTISTS ALSO WERE INCLUDED AS PART OF TEJANO HIEWFK. MUSIC. MANY ARTISTS ALL ARE PART OF WHAT WE CALL TEJANO. THOSE OF YOU THAT WOULD LIKE TO KNOW MORE ABOUT OUR CULTURE AND OUR MUSIC, THERE WILL BE A SYMPOSIUM ON THE 21st STARTING AT 9:00 A.M. UNTIL 7:00 P.M. AT THE THOMPSON CONFERENCE CENTER AND IT'S FREE TO THE PUBLIC. AFTER THAT THE FOLLOWING DAY THERE IS GOING TO BE SOMETHING THAT HAS NEVER OCCURRED IN THE HISTORY OF THE UNIVERSITY OF TEXAS WHERE AT THE BASS AUDITORIUM THERE WILL BE THREE TEJANO GRAMMY WINNERS PERFORMING. ANOTHER EVENT IS A BENEFIT FOR THE AUSTIN TEJANO MUSIC COALITION ON APRIL 30TH AT THE DIAMOND BALLROOM WITH TOP LOCAL ARTISTS AND SPECIAL GUESTS. NOW, TO TOP THAT OFF THERE IS GOING TO BE A HUGE EVENT ON CINCO DE MAYO ON CHANNEL 16 WHERE FOUR HOURS OF MUSIC WILL BE PRESENTED. IT STARTS AT 10:00 A.M. AND ENDS AT 6:00. AND I'LL BE THE CO-HOST. AND THERE'S

OTHER EVENTS COMING TO THE CHUNT TO SHOW TEJANO MUSIC IS COMING BACK. [BUZZER SOUNDS] TEJANO MUSIC IS BACK TO STAY AND WE'LL HEAR MORE OF IT. I WANT TO THANK Y'ALL VERY MUCH.

Mayor Wynn: THANK YOU, MR. TAFOYA.

AND THERE'S A GIFT WE'RE GOING TO GIVE YOU, A BUMPER STICKER AND A BUTTON.

Mayor Wynn: GREAT. THANK YOU. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

WE DON'T HAVE ENOUGH FTO'S, WHICH ARE FIELD TRAINING OFFICERS, TO TRAIN THE 73 CADETS THAT GRADUATE FROM THE ACADEMY IN JUNE. WE HAVE OFFICERS OUT THERE ON THE STREET TODAY THAT WORK 20 HOUR WORK DAYS. IN HENRY SECTOR WHERE I LIVE, WE HAVE A SHORTAGE OF FOUR OFFICERS ON THE DAY SHIFT AND SIX OFFICERS ON THE NIGHT SHIFT. THAT'S EVERYDAY. EVERYDAY. ON SUNDAYS, HENRY 7, THE AREA THAT Y'ALL JUST ANNEXED IN OFF PIERCE LANE WITH THE TWO NEW SUBDIVISIONS, THEY MAY NOT EVEN HAVE AN OFFICER PATROLLING THEIR DISTRICT BECAUSE OF THE CALL LOAD IN SECTIONS 5 AND 6 IN HEN TRY. HENRY. ON ANY GIVEN DAY OFFICERS FROM OTHER DISTRICTS COME INTO OTHER DISTRICTS TO WORK TO FILL THE OVERTIME SLOTS. THERE'S NO WAY THAT OFFICER WORKING OUT OF ADAM CAN GET TO KNOW THE RESIDENTS IN HENRY SECTOR IF THEY'RE NOT GOING TO BE THERE THE NEXT DAY. SEVERAL NEIGHBORHOODS IN AUSTIN ARE OUT RIGHT DANGEROUS TO BE OUT IN AFTER DARK. NOBODY IN MY NEIGHBORHOOD WAS EVER POLLED THAT WAS SAID IN THE NEWSPAPER SEEKING OUR INPUT WHETHER IT WAS SAFE TO GO OUT AFTER DARK. CONSIDERING THAT 80% OF THE CRIMES COMMITTED AGAINST THE IMMIGRANT COMMUNITY ARE NEVER REPORTED TO THE POLICE OUT OF FEAR, IT'S A HARD SELL TO SOME OF US THAT AUSTIN IS THE THIRD SAFEST CITY IN THE COUNTRY. MAYOR, ON YOUR WEBSITE YOU STATE THAT I WILL NEVER WAIVER IN MY COMMITMENT TO KEEP AUSTIN'S AMERICA'S SAFEST BY CITY. IF THIS IS THE CASE, THIS ENTIRE COUNCIL, THE ONES RUNNING FOR REELECTION, WILL Y'ALL SUPPORT THE HIRING OF 100 NEW POLICE

OFFICERS IN THE 2007-2008 BUDGET? [BUZZER SOUNDS] WE AS TAXPAYERS, WE DEMAND POLICE PROTECTION. THAT'S NOT ASKING TOO MUCH. THANK YOU, COUNCIL.

Mayor Wynn: THANK YOU, MR. JOHNSON. WELCOME, PAUL ROBBINS. YOU WILL HAVE THREE MINUTES.

CITIZENS OF AUSTIN, CITY COUNCIL, I'M PAUL ROBBINS. I'M AN ENVIRONMENTAL ACTIVIST AND CONSUMER ADVOCATE. I'M HERE -- I HAVE URGED YOU, COUNCIL, IN THE PAST TO INCLUDE WATER AND ELECTRIC REVENUE BONDS IN THE UPCOMING ELECTION. THAT WILL PROBABLY BE IN NOVEMBER. AND I'M EXTREMELY CONCERNED THAT THE COUNCIL IS IGNORING ARTICLE 7, SECTION 11 OF THE CITY CHARTER WHICH MANDATES THAT REVENUE BONDS BE AUTHORIZED BY AUSTIN VOTERS. QUOTE, ALL REVENUE BONDS ISSUED BY THE CITY SHALL FIRST BE AUTHORIZED BY A MAJORITY OF THE QUALIFIED ELECTORS VOTING IN AN ELECTION HELD FOR SUCH PURPOSE. I HAVE FOUND THAT \$331 MILLION OF DEBT IN THE WATER UTILITY HAS BEEN AUTHORIZED WITHOUT VOTER APPROVAL. THIS REPRESENTS 23% OF THE UTILITIES DEBT. THIS INFORMATION CAME TO ME FROM THE CITY'S WATER AND WASTEWATER MANAGEMENT. I CONFIRMED THREE SEPARATE TIMES THAT I UNDERSTAND THESE NUMBERS IN CONTEXT. THAT IS THAT THE \$331 MILLION REPRESENTS DEBT WITHOUT VOTER APPROVAL. NOW, I'M SURE THAT THERE ARE REASONS FOR NON-VOTER APPROVED DEBT. IT'S CERTAINLY MORE CONVENIENT, AND MANY OF THE EXPENSES ARE NOT THAT CONTROVERSIAL. I'M SURE MOST OF THEM WOULD BE APPROVED ANYWAY. BUT WHAT ABOUT WATER TREATMENT PLANTS? THERE IS A STATED COUNCIL POLICY THAT WATER TREATMENT PLANTS IN THE DRINKING WATER PROTECTION ZONE WILL BE GIVEN TO VOTERS, BUT AS THIS RECENT CONTROVERSY WITH THE PLANT IN -- PROPOSED PLANT IN GUERRERO PARK SHOWS, INTEREST IN WATER TREATMENT PLANTS ARE NOT LIMITED TO WATER QUALITY. AND SO I AM HERE AGAIN TO ASK -- NOT TO ASK, TO STATE, TO TELL YOU THAT I WANT MY VOTE BACK. THIS IS IN THE CITY CHARTER. IT HAS CUSTOM FOR DECADES, FOR MOST OF THE CENTURY, AND I WANT MY VOTE BACK.

Mayor Wynn: THANK YOU, MR. ROBBINS. FURTHER

COMMENTS, QUESTIONS, COUNCIL? THEN THAT CONCLUDES OUR GENERAL CITIZEN COMMUNICATION SECTION. WE WERE POSTED FOR A 1:00 O'CLOCK BRIEFING ON WCIT AND POSSIBLE ACTION RELATED TO EXPENDITURES AND ONGOING BOND PRESENTATIONS, BUT WE HAVE A BIT OF A TIME CERTAIN ISSUE BACK WITH SOME ATTORNEYS, SO I ANTICIPATE US TAKING UP THOSE TWO BRIEFINGS AT APPROXIMATELY 3:00 THIS AFTERNOON. SO WITHOUT OBJECTION, WE'LL NOW GO BACK INTO CLOSED SECTION PURSUANT TO SECTION 551.071 TO RECEIVE CONSULTATION FROM OUR ATTORNEY ON POTENTIALLY ITEMS 62 RELATED TO SETTLEMENT AGREEMENT WITH CC CARLTON INDUSTRIES, ITEM 63 RELATED TO SAVE OUR SPRINGS ALLIANCE, INC. VERSUS THE CITY OF AUSTIN, AND ITEM 64 RELATED TO ACQUISITION AND USE OF PROPERTY FOR AUSTIN WATER UTILITY. WE ARE NOW IN CLOSED SESSION. AGAIN, I ANTICIPATE US BEING BACK AT APPROXIMATELY 3:00 P.M. MR. SMITH? , MAYOR, IF I MIGHT CLARIFY, THE ACQUISITION AND WATER UTILITY WILL BE A DISCUSSION OF REAL PROPERTY UNDER 551.072 OF THE OPEN MEETINGS ACT.

Mayor Wynn: THAT'S FINE. I GUESS WE POSTED IT BOTH WAIDZ. SOME STAFF CAME TO ME EARLIER AND ASKED ME THAT AND I CHANGED THAT BECAUSE OF CONSULTATION WITH THE ATTORNEY, BUT WE CAN -- WE'LL TAKE IT UP IN BOTH POSSIBLE WAYS.

YOU'RE CORRECT, MAYOR. I JUST WANTED TO MAKE SURE IT COULD BE TAKEN UP BOTH POSSIBLE WAYS.

Mayor Wynn: THANK YOU VERY MUCH. SO WITHOUT OBJECTION, WE ARE NOW IN CLOSED SESSION. THANK YOU VERY MUCH.

Mayor Wynn: WE HAVE OUT OF CLOSED SESSION. IN EXECUTIVE SESSION WE TOOK UP ITEM 62 AND 63. THOSE WERE PRIVATE CONSULTATION WITH OUR ATTORNEYS. WE ALSO TOOK UP ITEM NR 64, A REAL ESTATE MATTER, PURSUANT TO SECTION 551.072 OF THE OPEN MEETINGS ACT. WE DISCUSSED THE AUSTIN WATER UTILITY. NO DECISIONS WERE MADE. WE'RE RUNNING WAY BEHIND SCHEDULE. WE ARE GOING TO POSTPONE ITEM NUMBER 66,

THE BRIEFING ON THE POTENTIAL 2006 BOND ELECTION THAT WAS RELATED TO NEW FACILITIES. WE WILL, HOWEVER, TAKE UP NOW THE BRIEFING ON THE WORLD CONGRESS AND INFORMATION TECHNOLOGY, WCIT, AS POSTED AND CORRECTED. AND WE'LL WELCOME MR. JOHN STEPHENS.

THANK YOU, MAYOR, COUNCILMEMBERS. I'M JOHN STEPHENS, CHIEF FINANCIAL OFFICER. WE'RE HERE THIS AFTERNOON TO GIVE A BRIEFING ON THE WCIT, WHICH AS I'M SURE YOU REALIZE, IS JUST AROUND THE CORNER. IT'S ONLY 10 DAYS AWAY AT THIS POINT. AND SO I'D LIKE TO WALK YOU THROUGH THE HISTORY OF THE CITY'S INVOLVEMENT WITH WCIT AND THE ADDITIONAL INKIND COSTS FOR THE WCIT. I'M GOING TO ASK GASOLINE MEEK, THE PRESIDENT OF THE WCIT TO COME UP AND GIVE YOU A STATUS REPORT ON WHERE WE ARE. I THINK THERE'S SOME GOOD NEWS ON THAT. AND THEN TALK JUST A LITTLE BIT ABOUT THE BOOTH THAT THE CITY WILL HAVE IN THE INNOVATION EXCHANGE EXHIBITION AT THE WCIT. JUST TO REMIND YOU, THE WCIT IS -- THE WORLD CONGRESS ON INFORMATION TECHNOLOGY IS THE PREMIER FORUM FOR WORLD INFORMATION TECHNOLOGY SERVICES FOR THE ALLIANCE OF THE WORLD INFORMATION TECHNOLOGY SERVICES, WITSA, AND IT IS A BIENNIAL EVENT.

IT'S A WONDERFUL OPPORTUNITY FOR TECHNOLOGY LEADERS FROM ALL OVER THE WORLD TO EXCHANGE, TECHNOLOGY AND INNOVATION AND IT ALSO REPRESENTS A COLLABORATION OF BUSINESS, GOVERNMENT AND EDUCATION. CERTAINLY FOR US THE GREAT OPPORTUNITY THAT WE HAVE THIS YEAR IS TO SHOWCASE AUSTIN AND TONON CARRIERRINGCONNECT 57600 WE GET SIGNIFICANT SPONSOR BENEFITS INCLUDING A FULL PAGE AD IN THE WCIT PROGRAM THAT COMES OUT. WE'LL GET A LARGE BOOTH, 10 BY 40 FEET IN THE INNOVATION EXCHANGE EXHIBITION AND I'LL GIVE YOU A QUICK LOOK AT THAT IN JUST A MOMENT. WE GET A NUMBER OF DELEGATES TO THE WCIT, ALL OF THE COUNCILMEMBERS OR DELEGATES, AS ARE MEMBERS ON THE CITY MANAGER'S TEAM. WE HAVE A HOSPITALITY SUITE IN THE CONVENTION CENTER WHERE WE'LL BE ABLE TO TALK TO PEOPLE ABOUT OPPORTUNITIES HERE IN AUSTIN, AND WE WILL ALSO BE PARTNERING WITH

OPPORTUNITY AUSTIN TO SHOWCASE AUSTIN AS A HIGH-TECH CENTER. THE BENEFITS THAT I JUST ENAMORATED ARE THE ONES THAT COME FROM THE SPONSORSHIP WE HAVE. WE HAVE ALSO BEEN VERY FORTUNATE IN THAT WE HAVE FORGOTTEN A NUMBER OF GRANTS AND SPONSORSHIPS FROM THE WCIT. WE FIRST GOT A 400-DOLLAR H.U.D. DEVELOPMENT INITIATIVE GRANT THAT WE USED TO INSTALL WIRELESS INFRASTRUCTURE AT THE CONVENTION CENTER, AND OF COURSE, THIS IS SOMETHING THAT WILL BE A LEGACY TO US. WE GOT A SECOND 2 THOUSAND DOLLAR H.U.D. GRANT THAT ALLOWED US TO AUGMENT THE CONVENTION CENTER'S NETWORK OVER THERE AND HIGHLY INCREASE THE SPEED IN THE NETWORK. WE FURTHER GOT 100,000-DOLLAR GRANT TO RENOVATE THE INTERNATIONAL CENTER SPACE THAT'S LOCATED IN THE CONVENTION CENTER GARAGE THERE ON SECOND STREET. AND THEN JUST RECENTLY AS YOU KNOW, WE MADE AN ANNOUNCEMENT OF OUR OUTDOOR WIRELESS PROJECT THAT WE OBTAINED FROM WCIT AND A SPONSORSHIP FROM SYSCO, THE VALUE OF WHICH IS 700,000. WE ARE USING THAT TO ESTABLISH A FIELD TESTING LAB ENVIRONMENT AND FOR GENERAL WIRELESS USE THROUGHOUT PARTS OF CENTRAL AUSTIN. AND THEN FURTHER WE HAVE A PENDING 250,000-DOLLAR H.U.D. GRANT FOR SOME MORE TECHNOLOGY INFRASTRUCTURE AND RELATED RENOVATIONS TO THE INTERNATIONAL CENTER. SO TO SUMMARIZE, THESE ARE DIRECT GRANT BENEFITS THAT WE HAVE GOTTEN THROUGH OUR RELATIONSHIP WITH WCIT. WE'VE GOTTEN A MILLION DOLLARS IN H.U.D. GRANTS, INCLUDING THE ONE THAT WE EXPECT TO GET FOR THE INTERNATIONAL CENTER, THE 250,000-DOLLAR GRANT. AND THEN WE GOT THROUGH THE SPONSORSHIP WITH WCIT AND SYSCO, WE GOT THE GRANT. SO THE TOTAL BENEFITS TO THE CITY ARE 1.7 MILLION. ONE OF THE THINGS, AS THE MAYOR READ IN CHANGES AND CORRECTIONS, ONE OF THE THINGS THAT WE WANTED TO GET YOUR APPROVAL TODAY ON WAS TAKE THE AMOUNT THAT WE BENEFITTED THROUGH OUR ASSOCIATION WITH WCIT AND TO TURN THAT BACK AROUND TO THEM IN TERMS OF IN KIND COSTS THAT WE WOULD PROVIDE OVER AND ABOVE WHAT COUNCIL AUTHORIZED IN THE 2004 RESOLUTION. WCIT HAS SPENT FOUR LONG YEARS, THEY'VE RAISED APPROXIMATELY \$10

MILLION IN CASH AND IN IN KIND CONTRIBUTIONS IN TOTAL, BUT THEY HAVE HAD SOME PROBLEMS WITH LAST MINUTE SPONSORSHIPS, AND A SLIGHT LOSS OF REVENUE AT THE LAST MOMENT, SO THEY HAVE COME TO ASK US FOR SOME MORE IN KIND HELP. AND SO WE ARE RECOMMENDING TO COUNCIL THAT THE TOTAL AMOUNT OF IN KIND COSTS THAT WE PROVIDE -- WE HAVE ALREADY MADE THE DIRECT CASH PAYMENT TO THEM, BUT THE TOTAL IN KIND COST THAT WE WOULD PROVIDE WOULD BE A MILLION DOLLARS AND WOULD BREAK DOWN AS YOU SEE HERE ON THIS SCHEDULE APPROXIMATELY 325,000 FROM SECURITY THAT WILL BE PROVIDED BY A.P.D. FOR THE EVENT, 600,000 IN CONVENTION CENTER WAVE FEES AND COST, AND MOST OF THESE WOULD BE WAIVED RENTAL FEES, COST FOR FOOD, FOR UTILITIES, EQUIPMENT, ELECTRONICS, EXHIBITION SETUP AND BANNERS AND SIGNAGE, THINGS LIKE THAT. AND THEN WE'RE ESTIMATING ANOTHER 75,000 PERHAPS IN MISCELLANEOUS COSTS THAT WE MIGHT INCUR THAT WOULD INCLUDE HANGING THE BANNERS THAT COUNCIL APPROVED THIS MORNING. THAT WILL BE AN IN-KIND COST OF ABOUT 11,000. THE PERMIT FEES FOR THOSE BANNERS, SOME REGISTRATION ASSISTANCE THAT WE WOULD PROVIDE TO WRIT, WE'RE GOING TO PROVIDE SOME STAFF TIME TO HELP THEM WITH THEIR REGISTRATION SYSTEM. PARKS, MOWING SOME MEDIANS ON THE AVENUES THAT LEAD TO AND FROM THE AIRPORT. WE'VE GOT OUR COMMUNITY COURT FOLKS ONLINE TO DO SOME EXTRA PICKUP AROUND THE CONVENTION CENTER DURING THE WEEK OF MAY THE FIRST, AND THEN POSSIBLY SOME TRANSPORTATION COSTS FOR THE TOTAL THAT YOU SEE THERE. SO COUNCIL, AT THIS POINT I'M GOING TO PAUSE AND I'M GOING TO TURN IT OVER TO GLEN MEEK, THE PRESIDENT OF WCIT AND LET HIM GIVE YOU A STATUS UPDATE ON WHERE WE ARE IN TERMS OF REGISTRATION AND WHAT ELSE IS GOING ON.

Mayor Wynn: THANK YOU, MR. STEPHENS. WELCOME, MR. MEEK.

MR. MAYOR, COUNCILMEMBERS, THANK YOU FOR THE OPPORTUNITY. I'LL MAKE THIS QUICK. I REALLY WANTED TO BRING A LITTLE BIT MORE UPDATE ON WHERE WHERE ARE WITH REGARD TO SOME OF THE BENEFITS TO THE CITY ON A

MORE GENERAL BASIS IF YOU LOOK AT THREE OF THE PRIMARY GOALS WE SET FOUR YEARS AGO, THEY WERE TO ATTRACT AT LEAST 1500 DELEGATES AND HOPEFULLY ON THE UPSIDE OF 2,000 DELEGATES FROM AROUND THE WORLD. WE'VE ACHIEVED THAT GOAL. AS OF THIS MORNING WE'RE AT ABOUT 1850 DELEGATES. WE THINK WE'LL PROBABLY BE AT 1900 BY THE ACTUAL CONFERENCE ITSELF, WHICH IS CLOSE TO THE UPPER END. WE HAD ALSO TALKED ABOUT THE CALIBER OF THE DELEGATES THAT WE WANTED TO ACTUALLY IMPROVE THE CALIBER OVER ANY OF THE PREVIOUS 14. AND I KNOW SOME OF THE COUNCIL MEMBERS HAVE ACTUALLY SEEN THE LIST OF SOME OF THE V.I.P.'S AND THE DELEGATES ATTENDING AND YOU WILL NOTICE THAT THE VAST MAJORITY ARE EITHER CEO'S OF COMPANIES, NATIONAL GOVERNMENT REPRESENTATIVES, HEADS OF STATE, HEADS OF UNIVERSITY ORGANIZATIONS AROUND THE WORLD AND WE THINK WE'VE ACHIEVED THE CALIBER TO AN EXTENT THAT'S NEVER BEEN ACHIEVED BEFORE. AND THE THIRD ONE -- WE CURRENTLY HAVE DELEGATES FROM OVER 80 DIFFERENT COUNTRIES, FROM MONROVIA TO MYANMAR, SO SINGAPORE. WE HAVE SIGNIFICANT ASIAN DELEGATIONS. WE'VE GOT THE LARGEST ASIAN PARTICIPATION THAN ANY WCIT OUTSIDE OF THE ONES HELD IN ASIA. SIGNIFICANT DELEGATIONS COMING FROM MEXICO AND LATIN AMERICA AND SIGNIFICANT SPONSORSHIPS FROM MOST OF SOUTH AMERICA AS WELL. WE HAD 85 SPEAKERS AND MODERATORS WHO ARE REALLY THE CREAM OF THE CROP OF THE I.T. INDUSTRY, FROM MICROSOFT, MICHAEL DELL, THE HEAD OF INTEL, WE HAVE COLIN POWELL, WE HAVE THE PRIME MINISTER OF MALAYSIA, WE HAVE THE GOVERNOR OF NEW YORK, WE VISITED 23 DIFFERENT COUNTRIES ON OUR OWN ACTUALLY PROMOTING AUSTIN AND CENTRAL TEXAS DURING THE LATTER PART OF LAST YEAR. AND WE HAVE RECRUITED AND UTILIZED A DOZEN AMBASSADORS ALL OVER THE WORLD TO HELP RAISE SPONSORSHIPS AND RECRUIT DELEGATES. IN THE LAST YEAR IN PARTICULAR I THINK WE'VE RAISED THE VISIBILITY OF THIS CITY AND STATE SIGNIFICANTLY AROUND THE WORLD WITH SOME OF THE PEOPLE THAT MATTER THAT MAKE DECISIONS. WE HAVE BEEN IN CONSTANT COMMUNICATION WITH ABOUT 20 DIFFERENT FOREIGN EMBASSIES AND CONSULATES IN THE

UNITED STATES, IN ADDITION TO THE 23 COUNTRIES THAT WE VISITED. THE MEDIA PROMOTION IN THE MEDIA, COMING TO THIS EVENT IS FAIRLY SIGNIFICANT. FORTUNE, THE WALL STREET JOURNAL, THE FINANCIAL TIMES, CNN AND A VARIETY OF WORLDWIDE PRESS ARE ACTUALLY INVITED TO THE EVENT. WE'VE INVITED ABOUT A THOUSAND PRESS REPRESENTATIVES FROM AROUND THE WORLD AND WE THINK PROBABLY 300 OF THEM WILL BE IN AUSTIN, TEXAS IN TWO WEEKS' TIME. CNN IS GOING TO TELEVISION SOME OF THE EVENT LIVE. TWO OR THREE OF THE HIGH-TECH SPONSORS HAVE CHOSEN THIS EVENT TO MAKE MAJOR ANNOUNCEMENTS. I KNOW OF AMD AND MICROSOFT IN PARTICULAR THAT HAVE ANNOUNCEMENTS PLANNED FOR THAT WEEK, WHICH WILL GAIN SIGNIFICANT PRESS ATTENTION FOR US. WE HAVE HUNDREDS OF LOCAL VOLUNTEERS LINED UP FOR THE EVENT. OVER LAST TWO, THREE WEEKS, WE'VE HAD ABOUT FOUR HUNDRED PEOPLE VOLUNTEER, SO THE CITY HAS THROWN ITS WEIGHT BEHIND THIS. THERE ARE A NUMBER OF OPPORTUNITIES FOR THE CITY TO PARTICIPATE. THERE ARE OPPORTUNITIES FOR THE CITY TO COME AND ATTEND SOME OF THE SOCIAL EVENTS AND TO MIX WITH THE DELEGATES. SO THIS IS REALLY AN OPPORTUNITY FOR AUSTIN TO SHOW THE WORLD WHAT THIS CITY IS ABOUT, BOTH FROM A BUSINESS AND FROM A SOCIAL PERSPECTIVE. I'D LIKE TO SAY THREE THANK YOU'S WHILE I'VE GOT EVERYBODY. OVER THE LAST FOUR YEARS YOU PEOPLE HAVE BEEN MARVELOUS. OUR THANKS FOR YOUR SUPPORT. I WOULD LIKE TO THANK THE AUSTIN POLICE DEPARTMENT PUBLICLY FOR EVERYTHING THEY'VE DONE TO HELP US WITH THEIR ASSISTANCE IN EXPIRING THE HUGE SECURITY ISSUES AROUND THIS. THEY'VE BEEN A PLEASURE TO WORK WITH. AND THEN WITH REGARD TO THE WE FI, WHICH WE'RE PARTICULARLY PROUD THAT WE'VE BEEN ABLE TO PROVIDE FOR AUSTIN. THERE HAVE BEEN PEOPLE IN THE CITY OF AUSTIN THAT HAVE HELPED TREMENDOUSLY TO HELP US PUT THAT TOGETHER. THIS IS AN EVENT THAT WILL PROBABLY BE THE BEST OF THE 15 WORLD CONGRESSES TO DATE. IT BRINGS US HUGE VISIBILITY ON THE WORLD STAGE. IT'S THE BIGGEST INTERNATIONAL EVENT EVER IN THIS CITY, THE BIGGEST INTERNATIONAL I.T. EVENT IN THIS STATE. THIS IS A SIGNIFICANT EVENT AND AS JOHN SAID, WE HAVE 10 DAYS

TO GO.

I KNOW YOU HAD TO STEP IN AND TAKE OVER IN THE MIDDLE OF THIS PROJECT AND I KNOW YOU'RE WORKING HARD ON THIS. WE'RE WORKING ON THAT. THERE ARE PEOPLE I UNDERSTAND WHO HAVE SIGNED UP TO BE TRANSLATORS AS A LOT OF THE ATTENDANTS ARE FROM ASIAN COUNTRIES. IF THERE ARE ANY OTHER PEOPLE WHO WANT TO HELP OUT, DEFINITELY COULD USE YOUR HELP. THERE ARE GOING TO BE A LOT OF PLACES, TIME FOR US TO SHOWCASE YOUR CITY AND I WANT TO MAKE SURE THAT EVERYONE FEELS COMFORTABLE AND THAT WE'RE ABLE TO ACCOMMODATE THEIR NEEDS, INCLUDING THEIR NEEDS FOR INTERPRETATION.

WE NEED THE TRANSLATORS AND ESCORTS AND WE'VE REALLY PUT AN INTERNATIONAL GROUP OF PEOPLE TOGETHER TO HELP GUIDE THE VISITORS AROUND. IT'S BEEN A GREAT COMMUNITY EFFORT. THANK YOU. ANYTHING ELSE?

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? THANK YOU, MR. MEEK. AND MR. STEPHENS, THANK YOU VERY MUCH FOR THE FLEXIBILITY YOU AND THE CITY MANAGER HAVE SHOWN IN TRYING TO HELP THE CITY IN A VERY COST EFFECTIVE WAY, ESSENTIALLY NOT OUT OF POCKET MUCH. DO REALLY WHAT OTHER GOVERNMENTS HISTORICALLY HAVE DONE, WHICH IS NOT DO NECESSARILY WHAT OTHER GOVERNMENTS DO, WHICH IS A LOT OF CASH UP FRONT TO MAKE THIS HAPPEN. AND SO THE FLEXIBILITY THAT YOU ALL'S OFFICE AND THE DIFFERENT DEPARTMENTS HAVE SHOWN TO TRY AND MAKE THIS HAPPEN IN A REKNOWNED WAY, VERY COST EFFECTIVE WAY IS VERY MUCH APPRECIATED. SO THE ACTION ITEM IS JUST TO ACCEPT YOU ALL'S RECOMMENDATION NOW ON THESE IN-KIND EXPENDITURES?

THAT'S CORRECT, MAYOR.

Mayor Wynn: THANK YOU. QUESTIONS, COMMENTS, COUNCIL? COUNCILMEMBER DUNKERLEY? IF NOT, I'LL ENTERTAIN A MOTION ON AMENDED ITEM NUMBER 67.

Kim: MAYOR, MOVE APPROVAL.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER KIM, SECONDED BY COUNCILMEMBER DUNKERLEY TO ACCEPT THIS RECOMMENDED IN KIND PACKAGE. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? THANK YOU ALL VERY MUCH. MOTION PASSES ON A VOTE OF SEVEN TO ZERO. SO ONE MORE QUICK BRIEFING, COUNCIL, BEFORE OUR ZONING HEARINGS. WE HAVE POSTED ITEM NUMBER 68, WHICH IS A PRESENTATION FROM CATELLUS AUSTIN, LLC, OUR PARTNERING DEVELOPER AT THE OLD MUELLER AIRPORT SITE. WELCOME.

MAYOR, MAYOR PRO TEM, COUNCILMEMBERS, I AM PAM HEFNER, MUELLER PROJECT MANAGER WITH THE ECONOMIC GROWTH AND REDEVELOPMENT SERVICES OFFICE. THE BRIEFING TODAY CONTAINS TWO ITEMS, AN UPDATE ON THE ACTIVITY OF THE MUELLER SITE, AND A BRIEF DISCUSSION ON ACTIONS THAT WILL BE BEFORE YOU ON THE APRIL 27TH AGENDA RELATED TO THE CITY'S FINANCIAL OBLIGATIONS UNDER THE MASTER DEVELOPMENT AGREEMENT. GREG WEAVER, SENIOR VICE-PRESIDENT WITH CATELLUS, WILL BE PROVIDING THE MUELLER STATUS, WHICH INCLUDES UPDATES ON BUILDING ACTIVITY, PROGRESS ON THE ORIGINAL RETAIL, THE PROPOSED ACADEMIC HEALTH RESEARCH CENTER, PARKS, AFFORDABLE HOUSING, THE TREE PRESERVATION PROGRAM, WMBE STATUS AND OTHER RELATED ITEMS. AND VICKY SCHUBERT WITH FINANCIAL SERVICES WILL REVIEW THE FINANCIAL OBLIGATIONS UNDER THE MASTER DEVELOPMENT AGREEMENT AND LAY OUT THE SCHEDULE FOR THE IMPLEMENTATION OF THESE ITEMS. AT THIS TIME I'LL ASK GREG WEAVER TO CONTINUE THE BRIEFING.

THANK YOU VERY MUCH. I'LL BE VERY QUICK. SEEING ALL THE PEOPLE IN HERE, I'M SURE THEY'RE NOT HERE TO HEAR ME. MAYOR, MAYOR PRO TEM, COUNCIL, CITY MANAGER, REALLY WE'RE ABOUT 14 MONTHS INTO THE MASTER DEVELOPMENT AGREEMENT AND WE'RE HERE TO GIVE YOU A BRIEF UP UPDATE. I'LL GO QUICK TO GET THIS GOING AND IF THERE ARE ANY QUESTIONS DURING THIS OR AFTERWARDS, I'LL BE AVAILABLE FOR QUESTIONS. PAM

WENT OVER ALREADY WHAT WE'RE GOING TO GIVE AN UPDATE. REALLY THERE'S AN AERIAL UP THERE. THE CHILDREN'S HOSPITAL IS ABOUT 55% DONE, AS THEY SAID YESTERDAY, AND WE HAVE OFFICIALLY BROKEN GROUND ON SOME OF THE RETAIL ON THIS SITE WORK ALONG I-35. HERE'S A LIST OF REALLY THE ACTIVITY. THE CHILDREN'S HOSPITAL, THERE'S A MEDICAL OFFICE BUILDING, ABOUT 127,000 SQUARE FEET. THE RONALD MCDONALD HOUSE AT 37,000 SQUARE FEET, SOUTHWEST EDUCATIONAL DEVELOPMENT LABORATORIES IS UNDER CONTRACT TO DO ABOUT A 5500 SQUARE FOOT OFFICE BUILDING. WE HAVE 432 APARTMENT UNITS. OUR ORIGINAL RETAIL -- REALLY, THE SIGNIFICANCE IF YOU LOOK AT THE RIGHT-HAND COLUMN THERE, ALL OF THIS HAPPENS IN 2007. AND RIGHT NOW THERE'S STILL WORK GOING ON AND IT'S NOT ALL THAT PRETTY TODAY, BUT BY THE END OF THE YEAR WE SHOULD HAVE SIGNIFICANT ACTIVITY ON THE VERTICAL SIDE AND THE RESIDENTIAL UNITS COMING AVAILABLE. WE HAVE REALLY HAD OUR FIRST LAND TAKE DOWN THERE. IN THE YELLOW THERE IS THE LAND THAT WE DID TAKE DOWN, WHICH IS AN OBLIGATION OF THE MASTER AGREEMENT WND WE TOOK IT DOWN PER THAT AGREEMENT. THERE'S A SITE PLAN OF THE REGIONAL RETAIL THAT'S ON I-35. TOTAL IT'S ABOUT 367,000 SQUARE FEET. WE HAVE BROKEN GROUND ON THE SITE WORK AND WE PLAN TO HAVE OUR FIRST PHASE, WHICH IS ABOUT 240,000 SQUARE FEET, WHICH SHOULD BE OPENED BY MARCH OF '07. JUST A FEW PRETTY PICTURES. THESE ARE THE DIRECTION OF COUNCILMEMBER MCCracken AND COMMERCIAL DESIGN GUIDELINES. WE'VE INCORPORATED -- WE HAVE OUR OWN MUELLER DESIGN GUIDELINES, BUT EVERYTHING THAT WE'RE DOING EITHER MEETS OR EXCEEDS WHERE THE COMMERCIAL DESIGN STANDARDS ARE GOING. IN THIS SLIDE THERE'S BEEN A LOT OF TALK ABOUT THE ACADEMIC HEALTH RESEARCH CENTER OUT AT MUELLER RELATED WITH THE UNIVERSITY OF TEXAS. WE'VE BEEN IN SUBSTANTIVE CONVERSATIONS WITH THE COMMUNITY AND WITH U.T. AND THE COMMUNITY ABOUT WHAT THEY'RE LOOKING AT DOING. IT'S ANYWHERE FROM 14 TO 25 ACRES THAT THEY'RE LOOKING AT. RIGHT NOW THEY'RE IN DISCUSSIONS WITH DONORS TO HELP KICK START THIS FINANCIALLY, SO THERE'S NOT A WHOLE LOT TO REPORT EXCEPT THERE IS STILL ONGOING DIALOGUE AND

DISCUSSION. THE PUBLIC ART AS PART OF THE MASTER AGREEMENT, CATELLUS AGREED TO DONATE \$500,000 FOR A PUBLIC ART PROJECT ON THE PROJECT THAT WOULD BE ALONG I-35. WE HAVE GONE THROUGH AND PICKED FINANCIALISTS AS OF A FEW WEEKS OR ABOUT A MONTH AGO. WE SHOULD HAVE OUR ARTISTS SELECTED IN THE FALL OF 2006 WITH THE PLAN THAT BY 2007 THE PUBLIC ART, WHICH WOULD BE THE LARGEST -- WHAT I UNDERSTAND THE LARGEST PUBLIC ART PROJECT IN THE CITY OF AUSTIN WILL BE INSTALLED AND BUILT ALONG I-35. WHICH THAT SECTION OF I-35 NEEDS SOMETHING TO DRESS IT UP. OUR FIRST PARK, WHICH IS ABOUT 15 ACRES, WE PLAN TO COMMENCE CONSTRUCTION ON IT THIS FALL, AND OUR FIRST -- IT'S 15 ACRES. IT SHOULD BE OPEN BY THE SPRING OF '07. I WON'T GO THROUGH THE WHOLE DESIGN OF IT, BUT THAT'S AN IMAGE OF IT RIGHT THERE AND IT ABUTS THE DELLWOOD 22 NEIGHBORHOOD ASSOCIATION THAT WE'VE BEEN WORKING WITH OVER THE PAST SIX MONTHS. THERE'S RELEVANT ISSUES WITH FENCES AND JUST COMPATIBILITY ISSUES. OUR MUELLER LAKE PARK, WHICH IS KIND OF THE PREMIER CENTRAL PARK IS 30 ACRES. WE PLAN TO COMMENCE GROUND ON THE FIRST PHASE OF THAT THIS SPRING. AGAIN, OPENING UP THE FIRST PHASE IN '07. IN TOTAL WE'LL HAVE ABOUT 45 ACRES OF PARKS THAT WILL OPEN UP IN 2007. AND AGAIN, 2007 IS KIND OF THE MARQUEE DATE OF WHEN A LOT WILL BE HAPPENING ON THE PROJECT. THERE'S MORE DETAILS ON THE PARK. WE HAVE AN OUTDOOR AMPHITHEATER, WE HAVE CHILDREN'S PLAYSCAPES, WE HAVE A COMMUNITY VISITOR'S OFFICE STR THAT WE'LL HAVE THERE. AND WHAT'S SHOWING ON THE BOTTOM OF THAT PICTURE THERE IS THE HISTORIC HANGER WHICH WAS A GOAL OF THE MASTER DEVELOPMENT AGREEMENT WAS TO KEEP THE HISTORIC HANGAR, WHICH WE ARE DOING ALL OUR STUDIES ON, BUT ALL INDICATIONS ARE THAT THE HANGAR WILL STAY AND WE'LL HAVE A GREAT REVIEW FOR IT IN THE FUTURE. OUR MWBE, WE HAD A GOAL AND REQUIREMENT FOR OUR INFRASTRUCTURE. HERE'S WHERE WE ARE IN OUR FIRST THREE PHASES OF INFRASTRUCTURE. I WON'T GO THROUGH ALL THE DETAILS, BUT YOU CAN SEE IT HERE. I THINK THAT THE EXCITING THING IS WE HAVE ABOUT \$13 MILLION OF CONTRACTS, AND RIGHT NOW WE HAVE ABOUT \$2.2 MILLION OF PARTICIPATION FROM OUR

MWBE LEVEL. AND THAT IS ALL ON INFRASTRUCTURE, ROADS, UTILITIES, ETCETERA, ON THE PROJECT. OUR AFFORDABLE HOUSING, THE GOAL ON THE PLAN IS 25% AFFORDABLE HOUSING, WHICH OUR GOAL IS TO MEET OR EXCEED THAT. AND IN THE MDA IT HAD LANGUAGE THAT IN THE FIRST COUPLE OF PHASES WE NEEDED LESS OR BE ABOVE. RIGHT NOW WE HAVE TWO PHASES OF RESIDENTIAL, WHICH IS OUR SINGLE-FAMILY AND OUR MULTI-FAMILY. IT SHOWS WHERE WE ARE TODAY, WHICH IS ABOUT 116 UNITS OF AFFORDABLE HOUSING OUT THERE. YOU'VE HEARD A LOT ABOUT THE LAND TRUST. WE ARE IN SUBSTANTIVE CONVERSATIONS AS IT RELATES TO LAND TRUST. WE THINK THAT REALLY WILL HELP AND REALLY STRENGTHEN MORE AFFORDABILITY OUT AT MUELLER. WE'RE IN A LOT OF CONVERSATIONS WITH SPECIFIC AFFORDABLE HOUSING PROJECTS RELATED TO SENIORS AND FAMILY FACILITIES. MUELLER, IF YOU REMEMBER, DOESN'T HAVE ANY TREES BECAUSE IT WAS AN AIRPORT. WE HAVE TO BRING IN ABOUT 15,000 TREES OVERRULE, AND WE WERE LUCKY ENOUGH TO BE THE RECIPIENTS OF 500 PECAN TREES FROM A PECAN TREE FARMER IN BASTROP THAT WAS CLOSING DOWN, AND WE HAVE A TREE FARM OUT THERE, HAD WHICH THIS IS AN IMAGE. AND THEN WE HAD TWO LARGE OAKS THAT WERE ABOUT 45 FEET TALL AND ABOUT A 90-FOOT CANOPY THAT IF YOU'VE BEEN OUT THERE RECENTLY, WE HAVE A AROUND ABOUT OUT THERE, WE HAD NOTHING IN THE AROUND ABOUT, WE JUST RELOCATED THESE TREES RATHER THAN HAVING TO CUT THEM DOWN OR DO SOMETHING ELSE, WE PUT THEM INTO OUR ROUNDABOUT, SO THE ROUNDABOUT HAS THESE TWO GREAT OAK TREES IN THE CENTER OF IT. AND THEN LASTLY, OUR WEBSITE, WE HAVE A GRAND NEW WEBSITE THAT'S BEEN UP AND RUNNING FOR TWO OR THREE MONTHS. YOU CAN GO ON THERE AND REGISTER TO GET E-MAIL THAT GOES OUT ON A QUARTERLY BASIS. IF YOU'RE INTERESTED IN RENTING A HOME, APARTMENT, COMMERCIAL SPACE, THIS IS MY COMMERCIAL RIGHT HERE, AND THAT IS IT. ANY QUESTIONS?

Mayor Wynn: ANY QUESTIONS? COUNCILMEMBER MCCRACKEN.

McCracken: GREG, I DON'T KNOW IF YOU'RE THE RIGHT PERSON TO ANSWER THAT, BUT WHAT IS THE PROJECTED

TAX BASE AT BUILDOUT?

ABOUT A BILLION DOLLAR TAX BASE.

McCracken: AND I KNOW THAT WE HAD SOME ESTIMATION A COUPLE OF YEARS AGO OF WHAT THE PROJECTED BUILDOUT WOULD HAVE BEEN UNDER CONVENTIONAL DEVELOPMENT PATTERNS WITHOUT PUBLIC INVESTMENT. I RECALL THAT WAS IN THE 200-MILLION-DOLLAR RANGE. DO YOU HAVE --

YOU MEAN FROM THE IMPACT OF THE PUBLIC FINANCE? MOSQUITO McIF WE HAD -- IF THERE HAD BEEN NO PUBLIC INVESTMENT, NONE OF THE PROCESS THE NEIGHBORHOODS WENT THROUGH, JUST CONVENTIONAL POWER CENTER TYPE OF DEAL WITH THE CONSTRAINTS ON THAT SITE AND NEED TO REMOVE ALL THAT INFRASTRUCTURE, WHAT THE PROJECTED BUILDOUT IF THERE HAD BEEN NONE OF THE EFFORTS YOU ALL AND THE CITY PUT IN?

THERE WAS A GAP IN THE FINANCING THAT WAS NEEDED FROM THE PUBLIC FINANCE STANDPOINT. THE TOTAL INFRASTRUCTURE COST WAS ABOUT \$200 MILLION AND THERE WAS A 50-MILLION-DOLLAR ESSENTIALLY GAP FOR PUBLIC FINANCING. AND SO WITHOUT THE PUBLIC FINANCING COMPONENT, A LOT OF THINGS THAT WE'RE DOING HERE, THE PARKS AND THE TND DESIGN, THE NEW URBANIST DESIGN, A LOT OF THAT WOULD HAVE HAD TO HAVE BEEN TAILORED DOWN TO REALLY WHAT WE'RE NOT SEEING HERE TODAY.

DO YOU HAVE AN ESTIMATION OF WHAT THE TAX BASE WOULD HAVE BEEN ON THAT SITE IF WE HAD DONE THE TRADITIONAL KIND OF CUL-DE-SAC'S AND POWER CENTER?

I DON'T HAVE THAT FIGURE. IT'S SOMETHING THAT WE'RE ON AVERAGE -- I'M PULLING NUMBERS OUT A LITTLE BIT RIGHT HERE, BUT ON AVERAGE I THINK WE'RE ABOUT 15 TO 20 UNITS PER ACRE THROUGHOUT, AND SO YOUR STANDARD CITY SUBDIVISION IS ABOUT SIX TO SEVEN UNITS PER ACRE. SO WE'RE SIGNIFICANTLY HIGHER IN DENSITY. I COULD GIVE YOU THAT TAX BASE DIFFERENCE, BUT THAT'S KIND OF THE

DIFFERENCE FROM A RESIDENTIAL SIDE AND THEN THE COMMERCIAL SIDE ON AVERAGE WE'RE ONE TO ONE F.A.R., AND BECAUSE OF THE NATURE OF THE URBAN COMPONENT, WE'RE USING ABOUT 90% IMPERVIOUS COVER, WHICH IF YOU BACKED ALL THAT OUT, WE WOULD PROBABLY BE HALF OF THAT AND TODAY WE HAVE ABOUT FOUR MILLION SQUARE FEET OF COMMERCIAL, SO YOU COULD -- AND AGAIN, I'M QUICKLY PULLING THESE NUMBERS OUT. YOU WOULD BE ABOUT HALF OF THAT, ABOUT TWO MILLION SQUARE FEET OF COMMERCIAL. IT'S A SIGNIFICANT IMPACT THIS PLAN, THE DENSITY TO THE TAX BASE. >>

McCracken: AS I RECALL WHEN WE WERE GOING -- AS I RECALL WHEN WE WERE GOING THROUGH ALL THE NEGOTIATIONS A FEW YEARS AGO, ONE OF THE THINGS THAT WAS VERY TELLING THAT WE LEARNED WAS THAT BECAUSE THE NEEDS OF RIPPING OUT THE RUNWAYS AND THE FACT THAT THERE WAS NO INFRASTRUCTURE THERE, KIND OF THE TRADITIONAL WAY OF BUSINESS HAD BEEN DONE, THEN IT WOULD HAVE KIND OF MAXIMIZED IT SOMEWHERE IN THE MAYBE 200-MILLION-DOLLAR BUILDOUT WAS MY RECOLLECTION. AND INSTEAD WE GET, FOR A 50-MILLION-DOLLAR INVESTMENT, A ONE BILLION DOLLAR TAX BASE, NOT TO MENTION IT'S A NICER PLACE TO LIVE. SO I THINK THIS SHOWS THAT NOT ONLY IS THIS ABOUT CREATING A GREAT NEIGHBORHOOD AND GREAT PLACE TO WORK AND LIVE, BUT THIS HAS -- BUT WHAT YOU ALL AND THE NEIGHBORS AND THE MUELLER COALITION HAVE BROUGHT TOGETHER IS A FISCALLY FAR SUPERIOR WAY TO DO DEVELOPMENT, WHICH IS IT MAY BE LIKE A FIVE FOLD HIGHER TAX BASE THAN WE WOULD HAVE UNDER CONVENTIONAL WAYS OF DOING BUSINESS.

YEAH. THIS PROJECT, JUST AS A BASIC FINANCE REAL ESTATE PACKAGE, IF WE WERE TO GO DO IT ALL BY OURSELVES, WOULD NOT FINANCE ITSELF. IT REALLY LOOK THE PUBLIC-PRIVATE PIP, WHICH I DON'T THINK I CAN -- PARTNERSHIP, WHICH I DON'T THINK I CAN USE THE WORD PARTNERSHIP, BUT OUR DEAL THAT WE PUT TOGETHER HAS REALLY MADE THIS HAPPEN.

McCracken: AND WHAT IS THE -- WHEN DO Y'ALL PROJECT

THAT THE BUILDOUT IS GOING TO BE COMPLETED?

IT'S ANYWHERE -- WE'RE USING KIND OF SEVEN TO 12, 15 YEARS. IF THINGS ARE GOING THE WAY THINGS ARE GOING RIGHT NOW, IT'S ON THE SHORTER TIME FRAME BASED ON THE MARKET, BUT WE ALL KNOW MARKETS CAN CHANGE AND THINGS SLOW DOWN. AND WE HAVE A LOT OF GREAT MOMENTUM FROM THERE, JUST THE EMPLOYMENT BASE AND ON THE RESIDENTIAL SIDE. SO IT'S PROBABLY ON THE SHORTER END TODAY.

McCracken: AND THE FINAL THING I WANTED TO MENTION IS YOU TOOK SEVERAL OF US HERE IN THE CITY ON A TOUR OF THE STAPLE TON REDEVELOPMENT WHEN WE WERE IN DENVER LAST YEAR, AND I REMEMBER ONE OF THE THINGS WE LEARNED THERE IS THAT AT STAPLE TON, WHICH MUELLER IS -- IT'S BETTER, BUT IT'S VERY SIMILAR, AND WHAT'S BEEN BUILT AT STAPLETON IS SO POPULAR THEY'RE HAVING TO HOLD LOTTERIES BECAUSE THERE ARE SO MANY PEOPLE WANTING TO OWN THE HOMES THERE. WE SAW ONE PART WHERE THERE WERE WERE-MILLION-DOLLAR HOMES ACROSS A SHORT PARK AWAY FROM 40% AFFORDABLE HOUSING APARTMENTS. AND ALL THAT INTEGRATION AND YET YOU CAN'T BUILD THEM FAST ENOUGH THERE. AND SO YOU'RE BRINGING SOMETHING VERY EXCITING. I TELL EVERYBODY THAT WHAT YOU AN CATELLUS BROUGHT TO AUSTIN IN TERMS OF YOUR PROCESS AND KNOWLEDGE AND PERSPECTIVE HAS MADE AN ENORMOUS IMPACT ON THIS COMMUNITY AND WE'RE REALLY GRATE OF GRATEFUL FOR WHAT YOU BROUGHT TO AUSTIN.

THANK YOU. I APPRECIATE THAT.

Mayor Wynn: THANK YOU, COUNCILMEMBER. FURTHER COMMENTS, QUESTIONS? THANK YOU, MR. WEAVER.

VICKY SCHUBERT, CHIEF FINANCIAL OFFICER. MY MESSAGE TO YOU TODAY IS THAT THE AGREEMENT THAT YOU SIGNED WITH CATELLUS IN DECEMBER 2004 IS FUNCTIONING AS INTENDED. YOU SAW FROM GREG'S 'S PRESENTATION THAT THE DEVELOPMENT ITSELF IS PROCEEDING AND THAT WE'LL BE COMING TO COUNCIL ON OCCASION TO TAKE ACTIONS THAT WILL COMPORT WITH OUR OBLIGATIONS UNDER THE

DEVELOPMENT AGREEMENT. QUICK REVIEW OF THE OUTLINE OF THE PRESENTATION, THE FIRST PART IS THAT I WANT TO REVIEW THE PROJECT ECONOMICS AND FINANCING STRATEGIES WITH YOU. NEXT WE'LL FOCUS ON THE CITY'S CURRENT OBLIGATIONS UNDER THE MASTER DEVELOPMENT AGREEMENT. AND FINALLY I WANT TO CAULK WALK YOU THROUGH THE UPCOMING COUNCIL MEETING AGENDAS AND THE BRIEFINGS WE HAVE SCHEDULED. SOME OF YOU MAY REMEMBER THIS SLIDE BECAUSE WE'VE USED IT BEFORE WHEN WE TALKED ABOUT THE PROJECT ECONOMICS. I'VE HIGHLIGHTED THE LAST BULLET AS THE MOST PERTINENT TO OUR DISCUSSION TODAY, THE MUELLER PROJECT PLAN ENVISION IS NOT FEASIBLE WITHOUT PUBLIC FINANCING AS COUNCILMEMBER MCCracken WAS TALKING ABOUT. WE DID EXTENSIVE ANALYSIS OF THE PROJECT DURING PLANNED DEVELOPMENT AND BECAUSE OF THE SUBSTANTIAL COST OF THE INFRASTRUCTURE AND THE PUBLIC FACILITIES THAT ARE BEING PROVIDED, WE ESTIMATED THE PROJECT WOULD NOT CASH FLOW ON ANTICIPATED REVENUES ALONE, AND THAT IS STILL THE CASE. SO THE DEVELOPMENT AGREEMENT WAS STRUCTURED IN ANTICIPATION OF ISSUING PUBLIC FINANCING TO COVER A PORTION OF THE COST FOR STREETS, WATER AND WASTEWATER, DRAINAGE, BICYCLE AND PED AMENITIES AND SO FORTH. I ALSO WANTED TO HIGHLIGHT FOR YOU THE FINANCIAL STRATEGIES THAT WE USED IN NEGOTIATING THE DEAL. THE FIRST ONE I'VE HIGHLIGHTED IN BLUE USED THE -- IN BLUE USED THE LOWEST COST OF FINANCING. WE TALKED ABOUT A CONTINUUM OF FINANCIAL FINANCING SOURCES FROM A NO COST SOURCE, WHICH WOULD BE ANY REVENUES THAT WE HAVE IN THE PROJECT TO A MID RANGE THAT WOULD COST ABOUT 45% TO THE HIGHEST COST OF FINANCING, WHICH IS THE DEVELOPER INVESTING THEIR OWN MONIES IN THE PROJECT. THE SLIDE ALSO LISTS OUR OTHER FINANCIAL STRATEGIES. I WON'T TOUCH ON ANY OTHER ONES EXCEPT THE LAST ONE, WHICH WAS TO LIMIT THE DEVELOPER PROFITS AND FEES TO WITHIN INDUSTRY STANDARDS. IN THIS CASE THE RATE OF RETURN THAT CATELLUS EARNS FOR THE RISK THEY TAKE BY INVESTING THEIR MONEY IN THE PROJECT WITHOUT A GUARANTEED RETURN IS 15%. THE NEXT SLIDE I HAVE FOR YOU BECAUSE OF TIME

CONCONSTRAINTS, I WON'T WALK THROUGH, BUT IT BASICALLY TALKS ABOUT HOW THE FLOW OF THIS WORKS, HOW CATELLUS TAKES DOWN LAND AND WHEN THE FUNDING COMES IN, WHEN THEY SPEND THEIR OWN FUNDS. SO I THINK YOU CAN -- I'VE LEFT COPIES OF THIS PRESENTATION FOR YOU. YOU CAN LOOK AT THAT LATER IF YOU HAVE QUESTIONS. LET ME KNOW. CATELLUS HAS MET A NUMBER OF ITS OBLIGATIONS UNDER THE AGREEMENT. YOU CAN SEE THAT. STREETS ARE BUILT, BUILDINGS AND RUNWAYS ARE BEING DEMOLISHED FROM THE OLD AIRPORT. AS A RESULT THROUGH THE END OF 2005 CATELLUS HAS INVESTED ABOUT \$12 MILLION OF ITS OWN MONEY TO BUILD THAT INFRASTRUCTURE, AND THAT'S OVER AND ABOVE ANY AVAILABLE REVENUES THROUGH THAT DATE. MORE IMPORTANTLY, THEY'RE ABOUT TO BEGIN PHASES FOUR AND FIVE OF THE PROJECT AND COMPLETE PHASES THREE AND 12, WHICH WILL REQUIRE AN ADDITIONAL INVESTMENT OF ABOUT 30 TO \$40 MILLION OVER THE NEXT YEAR TO 18 MONTHS. WHILE THERE WILL BE SOME LAND SALES OVER THIS SIEM PERIOD TO -- TIME PERIOD TO HELP COVER COSTS, THE MAJORITY OF THE LAND THAT THEY ARE DEVELOPING HERE WILL BE SOLD NEAR THE END OF THIS PHASE OF THE PROJECT. SO YOU CAN SEE CATELLUS WILL BE INVESTING SUBSTANTIAL FUNDS IN THE PROJECT AND THE ISSUANCE OF PUBLIC FINANCING TO REIMBURSE THEM FOR SOME OF THE COST WILL SIGNIFICANTLY REDUCE THE OVERALL COST OF THE PROJECT TO THE CITY. ONE OTHER THING I WANT TO POINT OUT IS THAT CATELLUS ALSO IN THE MDA COMMITTED TO PROVIDE A PERFORMANCE GUARANTEE THAT THEY WILL COMPLETE THE REGIONAL RETAIL AND GET IT LEASED OUT. SO WHAT ARE THE CITY'S CURRENT OBLIGATIONS? AT THE TIME OF THE MDA, THE PRO FORMA PROJECTED NEED FOR ABOUT 45 TO \$50 MILLION. IN PUBLIC FINANCING OVER THE APPROXIMATE 10-YEAR PROJECT HORIZON. IN THE MDA THE CITY AGREED TO ISSUE INITIAL DEBT SUPPORTED BY SALES TAXES GENERATED ON THE PROPERTY AT A VERY EARLY STAGE IN THE PROJECT. THIS OBLIGATION WAS TRIGGERED LATE LAST SUMMER WHEN CATELLUS FILED AN APPLICATION FOR DEVELOPMENT OF THE REGIONAL RETAIL PROPERTY ALONG I-35, WHICH GREG TALKED ABOUT A FEW MINUTES AGO. THE PROCEEDS FROM THIS DEBT WILL BE USED TO

FUND THE COST OF INFRASTRUCTURE ALREADY CONSTRUCTED AND TO BE CONSTRUCTED IN THE NEXT PHASES OF THE PROJECT. THE STRUCTURE OF THE DEBT ISSUANCE WILL BE SLIGHTLY DIFFERENT THAN A NORMAL CITY DEBT ISSUANCE. THE DEVELOPMENT AGREEMENT REQUIRED THE CITY TO ESTABLISH THE MUELLER LOCAL GOVERNMENT CORPORATION, WHICH WAS DONE IN DECEMBER 2004. THIS LGC IS A LIMITED USE CORPORATION WITH A PRIMARY FOCUS ON DEBT ISSUANCE AND REIMBURSEMENT OF THE DEVELOPER FOR PROJECT COST. COUNCIL IS THE BOARD OF DIRECTORS FOR THIS LGC AND CITY STAFF BE PROPOSED TO BE THE OFFICERS. THE CITY WILL EXECUTE A 380 ECONOMIC DEVELOPMENT AGREEMENT WITH THE LOCAL GOVERNMENT CORPORATION. IN THIS AGREEMENT THE CITY WILL AGREE TO PAY THE LGC ANNUALLY, THE SALES TAXES COLLECTED ON THE PROPERTY TO PAY DEBT SERVICE. IN TURN THE MUELLER LDC WILL CONTINUE TO ISSUE THE DEBT, PAY THE DEBT SERVICE AND REIMBURSE CATELLUS FOR PROJECT COST AS ESTABLISHED IN THE MDA. AN IMPORTANT FACET OF THIS IS THE AMOUNT OF DEBT TO BE ISSUED. THE CITY'S OBJECTIVE WAS TO ISSUE AS MUCH DEBT AS THE PROJECT SALES TAX REVENUE COULD SUPPORT IN ORDER TO REDUCE COSTS. TO DETERMINE THE AMOUNT, WE OBTAINED INFORMATION FROM CATELLUS ABOUT THE TYPES AND SIZES OF RETAIL BUSINESSES TO BE LOCATED IN THE REGIONAL RETAIL DEVELOPMENT. THIS INFORMATION WAS ANALYZED BY OUR THIRD PARTY CONSULTANT WHO HAS WORKED WITH THE CITY THROUGHOUT THE NEGOTIATION OF THIS AGREEMENT. WE EXAMINED AVERAGE RANGES OF SALES PER SQUARE FOOT FOR THE SAIPZ OF BUSINESSES TO BE LOCATED IN THE RETAIL AREA, BASED ON SEVERAL DIFFERENT INDUSTRY SOURCES OF INFORMATION. AND THEN WE CALCULATED PROJECTED CITY SALES TAXES BASED ON THIS INFORMATION. THEN AS LAID OUT IN THE MDA, WE USED 90% OF THE PROJECTED SALES TAXES FOR A BASIS FOR DETERMINING THE SIZE OF THE DEBT ISSUANCE, USING THE 90% PROVIDES THE CITY A CUSHION AGAINST THE RISK THAT SALES TAXES FROM THE PROJECT ARE LOWER THAN EXPECTED DUE TO CHANGES IN THE ECONOMY OR OTHER FACTORS. BASED ON THIS ANALYSIS, THE CITY ESTIMATES THAT SALES TAXES GENERATED BY THE REGIONAL RETAIL

WILL BE SUFFICIENT TO COVER ANNUAL DEBT SERVICE ON \$12 MILLION IN DEBT. NEXT STEP, ON APRIL 27TH COUNCIL WILL CONVENE THE FIRST MEETING OF THE MUELLER LOCAL GOVERNMENT CORPORATION. IT WILL BE SIMILAR IN NATURE TO AN AHFC MEETING WHERE THE COUNCIL RECESSES ITS REGULAR MEETING AND CONVENES A SPECIAL MEETING OF THE BOARD OF THE MUELLER LOCAL GOVERNMENT CORPORATION. THE BOARD WILL BE ASKED TO ACT ON SEVERAL ITEMS, INCLUDING ADOPTION OF BYLAWS, APPOINTMENT OF A CHAIR, VICE-CHAIR AND OFFICERS TO CARRY OUT DAY-TO-DAY PRAIKSES OF THE CORPORATION AND ACCEPTANCE AND EXECUTION OF A 380 AGREEMENT WITH THE CITY. THE COUNCIL WILL BE ASKED TO TAKE TWO ACTIONS, FIRST TO MAKE AN AMEND TO THE BYLAWS OF THE LOCAL GOVERNMENT CORPORATION, WHICH WERE ORIGINALLY APPROVED IN 2004. IN THOSE BYLAWS IT INDICATED THAT THE PRESIDENT AND VICE-PRESIDENT OF THE CORPORATION WHO ARE PROPOSED TO BE STAFF MEMBERS WOULD BE MEMBERS OF THE BOORND WE THINK IT SHOULD BE COUNCIL WHO ARE MBDZ OF THE BOARD AND THE OFFICERS WOULD BE STAFF MEMBERS. SO WE'LL BE ASKING YOU TO MAKE THAT AMENDMENT AND THEN FINALLY TO APPROVE THE 380 AGREEMENT. LAST BUT NOT LEAST, WE PROPOSE TO COME BACK ON MAY 18th AND THE LOCAL GOVERNMENT CORPORATION AND COUNCIL WILL BE ASKED TO ACT ON THE DEBT ISSUANCE FOR THIS PROJECT. THAT CONCLUDES MY PRESENTATION. I'LL BE GLAD TO ANSWER ANY QUESTIONS TODAY OR BEFORE NEXT WEEK. THANK YOU.

Mayor Wynn: THANK YOU, MS. SCHUBERT. QUESTIONS, COUNCIL? COUNCILMEMBER MCCRACKEN.

McCracken: VICKY, DO YOU HAVE THE NUMBERS ON WHAT IS THE PROJECTED SALES TAX THAT WE'RE GOING TO REALIZE IN THE MUELLER REDEVELOPMENT?

WE BELIEVE IT WILL BE ABOUT A MILLION -- WELL, IT WILL BE A LITTLE BIT OVER A MILLION -- A MILLION IS 90 PERCENT. SO AROUND A MILLION. AND THAT'S JUST LOOKING AT THE REGIONAL RETAIL PORTION. WE WILL ALSO HAVE POSSIBLY SOME SALES TAX FROM THE HOSPITAL PARKING, FROM THE TOWN CENTER WHEN IT'S DEVELOPED, SO WE WILL HAVE

ADDITIONAL SALES TAX, BUT FROM THE REGIONAL RETAIL COMPONENT IT'S AROUND A MILLION.

McCracken: AND I'VE RUN SOME NUMBERS. ASSUMING THAT I'M RECALLING THIS CORRECTLY, THAT WITHOUT PUBLIC INVESTMENT, UNDER CONVENTIONAL CUL-DE-SAC POWER CENTER TYPE OF DEVELOPMENT, AS I RECALL, WE PROJECTED IT WOULD BE ABOUT A 2 200-MILLION-DOLLAR BUILDOUT, BUT INSTEAD WE'RE GETTING A ONE BILLION DOLLAR TAX BASE RIEVMENT NOW WE GET ZERO DOLLARS TAX BASE FROM ALL OF THE 700 ACRES, RIGHT?

THAT'S CORRECT.

McCracken: SO WHEN THIS BUILDS OUT, THE TAXPAYERS OF AUSTIN WILL BE RECEIVING A MILLION DOLLARS IN TAXES -- TAX BASE FROM SALES TAX ALONE PLUS IF WE HAD DONE -- IF WE HAD GONE THE ROUTE OF THE CONVENTIONAL DEVELOPMENT PATTERNS, WE WOULD HAVE REALIZED ABOUT -- THE CITY TAXPAYERS WOULD HAVE REALIZED ABOUT \$886,000 OF PROPERTY TAX PAYMENTS PER 83 AT THE CURRENT PROPERTY TAX RATES, BUT BY GOING WITH THE PUBLIC INVESTMENT AND THE MORE NEW URBANNIST MODEL THAT WE'RE SEEING THERE, THE TAXPAYERS ARE GOING TO SEE \$4.43 MILLION A YEAR IN PROPERTY TAX PAYMENTS ON THE CITY PORTION ALONE. SO WE'RE GOING TO GO FROM ZERO DOLLARS TO FIVE AND A HALF MILLION DOLLARS PLUS IN TAX RECEIPTS FOR THE TAXPAYERS. THIS HAS BEEN A GREAT INVESTMENT TO THE TAXPAYERS OF AUSTIN, NOT JUST A GREAT PLIES PLAIS TOPLAITION TOLIVE. SO GOOD WOULD WORK. >> >>

Mayor Wynn: THANKS, COUNCILMEMBER. FURTHER COMMENTS? THANK YOU, MS. SCHUBERT. AND MR. WEAVER. SO COUNCIL, QUICKLY BEFORE WE HOP OVER TO OUR ZONING CASES, EARLIER IN CLOSED SESSION WE TOOK UP ITEM NUMBER 62 RELATED TO A POTENTIAL SETTLEMENT AGREEMENT WITH CC CARLTON INDUSTRIES AND WE HAVE A POSTED ACTION ITEM NUMBER 84, WHICH WAS TO APPROVE A SETTLEMENT AGREEMENT. THIS AGREEMENT WAS OUTLINED TO US IN CLOSED SESSION. WELCOME MS. ALLISON GALLONAWAY.

ALLISON GALLON GALLOWAY WITH THE LAW DEPARTMENT. I WOULD SUGGEST AND RECOMMEND THAT YOU APPROVE EXECUTIVE EXECUTION OF A SETTLEMENT AGREEMENT IN THE AMOUNT, ADDING 62 DAYS TO THE CONSTRUCTION SCHEDULE, AND ALL OTHER NECESSARY CHANGES TO IMPLEMENT THIS SETTLEMENT AGREEMENT WITH CC CARLTON INDUSTRIES REGARDING THE CONSTRUCTION CONTRACT FOR THE AUSTIN CLEAN WATER PROGRAM UPPER WEST WALLER 45TH AND SPEEDWAY WASTEWATER IMPROVEMENTS PROJECT.

Mayor Wynn: THANK YOU. QUESTIONS OF STAFF, COUNCIL? IF NOT, I'LL ENTERTAIN A MOTION REGARDING THIS PROPOSED SETTLEMENT, ACTION ITEM NUMBER 84. MOTION MADE BY COUNCILMEMBER DUNKERLEY, SECONDED BY COUNCILMEMBER LEFFINGWELL TO APPROVE ITEM NUMBER 44, THE SETTLEMENT AGREEMENT AS OUTLINED BY STAFF. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO. COUNCIL, ALSO IN CLOSED SESSION WE TOOK UP ITEM 64, WHICH WAS RELATED TO REAL ESTATE MATTERS REGARDING THE AUSTIN WATER UTILITY AND POTENTIAL ACQUISITION AND USE OF PROPERTY FOR DRINKING WATER TREATMENT FACILITIES. WE HAD AN ACTION ITEM NUMBER 85 POSTED, WHICH DISCUSSED THE POSSIBLE ACTION RELATED TO THE RELEASE OF INFORMATION REGARDING OUR ANALYSIS OF THIS. I'LL RECOGNIZE COUNCILMEMBER ALVAREZ.

Alvarez: THANKS, MAYOR. MAYOR, CLEARLY IT HAS BEEN AN ISSUE THAT HAS RECEIVED A LOT OF PUBLIC ATTENTION, AND ONE OF THE REQUESTS THAT WE'VE HEARD IS FOR MORE INFORMATION ABOUT THE VARIOUS SITES THAT ARE BEING CONSIDERED FOR THE RELOCATION OF THE GREEN WATER TREATMENT PLANT. AND THIS BEING RELATED TO REAL ESTATE TRANSACTION, THEN SOME OF THAT INFORMATION IS CONFIDENTIAL. AND SO I WOULD LIKE TO MAKE A MOTION THAT WE PROVIDE THE FINANCIAL INFORMATION RELATED TO THE TOTAL COSTS OF

DEVELOPING THE FOUR SITES THAT WERE BEING CONSIDERED WITHOUT DISCLOSING THE LOCATION OF THOSE SITES, THUS PRESERVING THE CONFIDENTIAL NATURE AND THE COMPETITIVE NATURE OF THAT INFORMATION. AND WITH THE EXCEPTION THAT WE WOULD DISCLOSE WHICH SITE IS THE GREEN -- OR THE ROY GUERRERO SITE, WHICH HAS CLEARLY ALREADY BEEN IDENTIFIED. OBVIOUSLY WE PROVIDE STAFF TIME TO PUT THAT TOGETHER IN A WAY THAT, AGAIN, WON'T DISCLOSE THE LOCATIONS OF THE SITES BEING CONSIDERED, BUT WILL DEMONSTRATE THE VARIOUS SITES CONSIDERED AS PART OF THE SITE SELECTION PROCESS. AND THEN REQUESTS, BECAUSE THE OTHER THING THAT'S BECOME CLEAR THROUGH THE PUBLIC PROCESS -- AND I'VE BEEN MAINLY FOLLOWING IT ON CHANNEL 6, IS INFORMATION ABOUT WHAT COULD BE -- A WHAT OPTIONS ARE AVAILABLE TO THE CITY AT SOME OF ITS EXISTING WATER TREATMENT PLANTS, AND THAT WE, AGAIN, DIRECT THE CITY MANAGER TO PUT TOGETHER A SUMMARY OF -- OF THE ISSUES INVOLVING THOSE SITES AND SOME OF THE CHALLENGES ASSOCIATED WITH CONSIDERING THOSE SITES FOR A NEW PLAN. AND THAT -- AND THEN FINALLY I THINK TO -- THIS IS NOT NECESSARILY RELATED TO THE CONFIDENTIAL INFORMATION, BUT THAT WE MAY BE -- MAY NEED TO POST AN ITEM FOR NEXT WEEK TO DISCUSS THIS PROCESS AND POSSIBLY, AT LEAST FROM MY POINT OF VIEW, POSSIBLY EXTENDING THE AMOUNT OF TIME FOR PUBLIC INPUT AND POSSIBLY -- AND POSTING IT IN A WAY WHERE THE COUNCIL CAN TAKE VARIOUS ACTIONS WITH REGARD TO THIS PROCESS THAT WE WERE UNDERTAKING SO THAT WE CAN ADDRESS AS MANY ISSUES AS WE CAN AS QUICKLY AS POSSIBLE. AGAIN, I THINK ONE OF THE OTHER CONCERNS THAT WE'VE HEARD IS THAT THIS IS HAPPENING TOO QUICKLY, SO AT LEAST FROM MY POINT OF VIEW, I CERTAINLY FEEL THAT AS WE PROVIDE INFORMATION THAT IT'S ALSO REASONABLE TO PROVIDE A LITTLE MORE TIME FOR THE PUBLIC TO DIGEST THAT INFORMATION AND PROVIDE INPUT. SO THAT'S CERTAINLY SOMETHING I WOULD LIKE TO PUT ON THE TABLE FOR THE COUNCIL TO DISCUSS. WE'RE NOT POSTED TO TAKE ACTION OR DISCUSS THAT ISSUE NOW, BUT IF WE CAN HAVE THIS POSTED FOR THAT TYPE OF DISCUSSION NEXT WEEK, THEN I THINK THAT

WOULD ALSO BE HELPFUL AND SHOW OUR CONSTITUENTS THAT WE'RE TRYING TO ADDRESS WHATEVER CONCERNS MAY BE ADDRESSED AT THIS PARTICULAR POINT IN THE PROCESS. SO THOSE WOULD BE DIRECTIVES TO STAFF WITH THE EXCEPTION OF PROVIDING THE CONFIDENTIAL FINANCIAL INFORMATION WITHOUT DISCLOSING THE LOCATION OF THE SITES BEING CONSIDERED, THEN THE REST WOULD JUST BE DIRECTIVES TO THE CITY MANAGER, BUT I DO -- I KNOW THE CITY MANAGER WANTS TO RESPOND TO THAT OR IF WE SHOULD JUST VOTE ON THE RELEASE OF THE CONFIDENTIAL INFORMATION FIRST.

Mayor Wynn: MOTION BY COUNCILMEMBER ALVAREZ THAT I'LL SECOND AND TO PERHAPS FURTHER REFINE THE MOTION SLIGHTLY IS THAT IT'S NOT PRUDENT FOR US TO IDENTIFY THE SPECIFIC SITE, BUT I THINK WE COULD PERHAPS EXPAND SLIGHTLY ON THE PROUD PRESENTATION THAT WE SAW THE PARKS BOARD RECEIVE AND WE COULD DESCRIBE MAYBE THE ADJACENT USES OR THE BROAD NEIGHBORHOOD AREAS THAT THESE OTHER POTENTIAL SITES ARE IN BECAUSE I THINK NEIGHBORS WILL BE ENCOURAGED BY THE LACK OF SINGLE-FAMILY HOMES ANYWHERE NEAR IT. BUT ALSO TO BUILD ON WHAT COUNCILMEMBER ALVAREZ POINTED OUT, THESE OTHER BROADER ISSUES, WE'VE HAD PEOPLE APPROPRIATELY CONTINUING TO CHALLENGE WHAT OUR CURRENT WATER CONSERVATION MEASURES ARE AND HOW OUR WATER DEMAND CURVE DOES OR DOES NOT PERHAPS TAKE THOSE CONCEPTS INTO CONSIDERATION, AND THEN SORT OF SPECIFICALLY THE BROADER ALTERNATIVES TO EVEN IN THEORY BUILDING THIS DRINKING WATER PLANT AS GENERALLY PROPOSED OR THINGS LIKE EXPANSION OF THE EXISTING ULRICH OR DAVIS DRINKING WATER PLANTS, THE FAST TRACK. THERE IS TALK OF THE CONCEPT OF USING GROUNDWATER, NON-EDWARD'S AQUIFER GROUND WATER TO OUR EAST AND THE CONCEPT OF SORT OF MIXING OR CHANGING THAT WATER SUPPLY IN OUR INVENTORY SLIGHTLY. THERE'S THE CONCEPT OF ACTUALLY PURCHASING WELLS IN THE EDWARD'S AQUIFER TO MAKE SURE THAT WE STILL LITERALLY TECHNICALLY HAVE A STRAW IN THE AQUIFER TO MAKE SURE THAT OUR WATER UTILITY IS CONSTANTLY VESTED IN THE IDEA OF

PROTECTING -- PERPETUALLY PROTECTING THE WATER SUPPLY FROM THE AQUIFER. SO THOSE ARE SIX CONCEPTS THAT ON THE MACRO LEVEL WOULD THEN FEED INTO THE DETAILED INFORMATION THAT WE ALL HAVE BEGUN TO HEAR AND NEED TO HAVE MORE PEOPLE AWARE OF AS WE MOVE FORWARD. COUNCILMEMBER MCCRACKEN.

McCracken: YEAH. AND I THINK IT NEEDS TO TAKE THE FORM OF AN AMENDMENT AND WE NEED THE PIN PUT OF THE CITY MANAGER ON THIS TOO, BUT WHEN WE HEAR THE PRESENTATION OF OUR OPTIONS NEXT WEEK, I WOULD LIKE TO MAKE CLEAR THAT GUERRERO PARK IS NOT ONE OF THE OPTIONS THAT WILL BE PRESENTED TO COUNCIL AS AN OPTION. WE CAN DO THAT AS A FRIENDLY AMENDMENT OR DO WE NEED TO JUST GIVE THAT DIRECTION?

Mayor Wynn: IT SEEMS TO ME THAT, COUNCILMEMBER, THAT WITH THAT DIRECTION THEN THE CITY ATTORNEY WOULD POST THE ITEM NEXT WEEK IN AN APPROPRIATE WAY TO GIVE YOU OR ANY COUNCILMEMBERS OR ALL OF US THE FLEXIBILITY TO MAKE INDIVIDUAL STATEMENTS LIKE THAT.

Alvarez: THAT WAS GOING TO BE MY SUGGESTION, MAYOR. AGAIN, TO POST IT BROADLY ENOUGH SO THAT IF WE WANT TO CONSIDER A CHANGE IN THE TIME FRAME OR A CHANGE IN THE OPTIONS UNDER CONSIDERATION THAT THAT MAY BE DISCUSSED AND ACTED UPON BY THE COUNCIL.

Mayor Wynn: COUNCILMEMBER MCCRACKEN.

McCracken: WE HAVE A COUPLE OF COURSES TO GO DOWN. THERE'S AN ENVIRONMENTAL BOARD MEETING SAID FOR THIS COMING MONDAY AND THERE IS ALSO THE QUESTION OF WHAT STAFF WILL PREPARE AS THE OPTIONS THAT ARE UNDER CONSIDERATION NEXT THURSDAY. AND I GUESS WHAT I'M SAYING IS ONE WAY OR THE OTHER IS THAT WE DO NOT WANT GUERRERO PARK AS ONE OF THE OPTIONS. WHEN WE HAVE THE PRESENTATION NEXT WEEK, THAT GUERRERO PARK IS NOT INCLUDED AMONG THOSE OPTIONS AND ALSO THAT WE PROBABLY NEED TO GIVE SOME CLARIFICATION -- IT KNEW NEEDS TO BE FAIRLY DEFINITIVE IN OUR DIRECTION TO YOU, CITY MANAGER, BECAUSE THAT WILL GUIDE STAFF ON WHAT IS THE AGENDA FOR MONDAY'S

ENVIRONMENTAL BOARD MEETING. SO THAT'S AT LEAST SOMETHING -- I DON'T KNOW IF IT'S WITHOUT OBJECTION OR IF IT REQUIRES A VOTE, BUT AT LEAST WHAT I'M PROPOSING IS THAT GUERRERO PARK IS NOT LISTED AS ONE OF THE OPTIONS TO BE PRESENTED NEXT THURSDAY.

Alvarez: IS THAT ACTUALLY A MOTION?

Mayor Wynn: WE HAVE A MOTION AND A SECOND ON THE TABLE TO -- WITH YOUR OUTLINED MOTION, I GUESS. THE QUESTION OF THE CITY ATTORNEY IS I'M FAIRLY SUPPORTIVE OF US HAVING THAT ABILITY NEXT THURSDAY, SO I GUESS WITHOUT OBJECTION WOULD BE TO MAKE SURE IT'S POSTED IN SUCH A WAY THAT THAT ACTION COULD BE TAKEN.

McCracken: WE NEED TO DO SOMETHING BEFORE THEN BECAUSE OF THE ENVIRONMENTAL BOARD MEETING ON MONDAY. IF WE WANT TO LEAVE IT ON THE TABLE, THEY'RE GOING TO NEED TO GO FORWARD ON MONDAY. SO WE CAN PROVIDE DIRECTION ABOUT THE SCOPE OF OUR PRESENTATION AND WHAT WE'RE SAYING IS WE DON'T WANT TO INCLUDE GUERRERO PARK. THAT GIVES STAFF DIRECTION ABOUT THE SCOPE NEXT THURSDAY, BUT IT ALSO GIVES DIRECTION FOR NEXT MONDAY'S ENVIRONMENTAL BOARD MEETING.

Mayor Wynn: MR. SMITH?

MY ONLY CONCERN, COUNCILMEMBER, WOULD BE, AND I THINK YOU ASKED THE QUESTION OF WHETHER COUNCIL NEEDED TO VOTE ON WHETHER TO INCLUDE GUERRERO AS PART OF THE PRESENTATION. AND MY CONCERN IS THAT COUNCIL HAS NOT POSTED AN ITEM THAT IS BROAD ENOUGH TO COVER THAT KIND OF VOTE. SO MY ADVICE WOULD BE TO LEAVE IT SIMPLY AT THE LEVEL NOT FOR COUNCIL TO TAKE A VOTE ON IT, BUT TO LEAVE IT AT THE LEVEL OF DIRECTION AND THEN WE WILL POST AN ITEM FOR THE NEXT COUNCIL MEETING SUFFICIENTLY BROAD TO ALLOW COUNCIL TO DO WHATEVER ITS WILL IS.

Futrell: THE PROBLEM, THOUGH, AND HERE'S WHAT I NEED YOU TO COVER DIRECTLY, IS TO COVER US FOR THURSDAY

MOVING FORWARD, BUT THAT WOULD NOT COVER US FOR MONDAY AT THE ENVIRONMENTAL BOARD. THAT'S WHAT I'M LOOKING FOR HERE. HERE.

ONE OPTION TO DEAL WITH THAT CONCERN, BUT AGAIN, I WILL STATE THIS COUNCIL IS NOT POSTED TO TAKE A VOTE ON THE ISSUE OF WHAT WILL BE PRESENTED AT COUNCIL NEXT WEEK. ONE OPTION IN TERMS OF WHAT MAY BE SCHEDULED IN FRONT OF THE ENVIRONMENTAL BOARD IS WHATEVER SCHEDULE THERE COULD BE POSTPONED.

Futrell: AND FOR THAT WE WOULD NEED A DISCUSSION AMONG THE BODY AS A WHOLE ON THE DAIS NOW, IS THAT CORRECT?

A DISCUSSION AMONG THIS BODY?

Futrell: YES. DAVID, WHAT I'M TRYING TO GET AT IS YOU ARE NOT POSTED FOR ACTION ON THAT ITEM, SO IN OTHER WORDS, WHAT WE ARE GOING TO NEED IN ORDER TO MAKE A CHANGE IN DIRECTION IS WE'RE GOING TO NEED TO HEAR SOME VIBRANT DISCUSSION FROM THE COUNCIL AS A WHOLE TO DO THAT, OTHERWISE WE ARE REALLY WAITING FOR A DIRECTION BEYOND WHAT THEY ARE POSTED ON TODAY FOR THURSDAY.

McCracken: AND JUST TO FOLLOW UP. THE SCOPE OF THE EXECUTIVE SESSION POSTING WAS TO DISCUSS ACQUISITION AND USE OF PROPERTY FOR AUSTIN WATER UTILITY WATER TREATMENT FACILITIES. AND SO I GUESS THE QUESTION IS ARE WE PERMITTED UNDER OUR POSTING TO GIVE DIRECTION BASED ON OUR EXECUTIVE SESSION INFORMATION WE HAVE RECEIVED TO GIVE FURTHER DIRECTION WITHIN THE SCOPE OF THAT POSTING? IF SO, SAYING THAT GUERRERO PARK IS NOT PART OF THAT WOULD BE PART OF THAT SCOPE.

Mayor Wynn: COUNCILMEMBER ALVAREZ AND THEN KIM.

Alvarez: I BELIEVE THAT THE ITEM THAT GIVES IT THE ABILITY TO TAKE ACTION IS ACTUALLY THE ADDENDUM THAT WAS ADDED, AND THAT ADDENDUM SPECIFICALLY SPEAKS TO ACTING WITH REGARD TO THE RELEASE OF CONFIDENTIAL

OR PRIVILEGED INFORMATION, NOT NECESSARILY THE SITE SELECTION ITSELF.

McCracken: I AGREE. IT'S CLEAR WE CAN'T TAKE A VOTE ON ANYTHING LIKE THAT. THE QUESTION IS CAN WE GIVE DAIS DIRECTION ON SOMETHING THAT FALLS WITHIN THE SCOPE OF THE EXECUTIVE SESSION POSTING? THAT'S A LEGAL QUESTION, I GUESS. ALLISON OR DAVID? I GUESS THEY'RE FINDING THAT OUT.

Kim: MAYOR, SINCE IT'S A RELEASE OF INFORMATION, MAYBE WE COULD SEE RELEASE OF INFORMATION ON CERTAIN SITES BE CONSIDERED AND THAT WOULD BE SITES TO NOT INCLUDE GUERRERO PARK, WOULD IT NOT BE APPROPRIATE DIRECTION FOR THE STAFF?

YES, THAT WOULD BE APPROPRIATE DIRECTION FOR THE STAFF.

Kim: THEN THAT WOULD BE RELEVANT AND WITHIN THE BOUNDS OF THE POSTING OF THE ITEM.

YES, COUNCILMEMBER.

Kim: THEN I THINK THAT'S THE SENTIMENT OF THE COUNCIL THEN TO RELEASE AS MUCH INFORMATION AS WE CAN THAT INFORMATION OF COURSE WILL NOT THE GUERRERO PARK SINCE WE ARE NOT CONSIDERING THAT SITE BASED ON THE COMMENTS AND THE PREFERENCE OF THE COMMUNITY IF EVERYONE ELSE IS IN AGREEMENT. >>

Mayor Wynn: MR. SMITH, ANY ADDITIONAL THOUGHTS?

NONE THAT COME TO MIND FROM ME EXCEPT MS. GALLOWAY HAS HELP FOR THE ENVIRONMENTAL BOARD.

THE ENVIRONMENTAL BOARD WAS SET IN ORDER TO MEET THE CHAPTER 26 OBLIGATIONS OF COUNCIL. WE COULD REQUEST A POSTPONEMENT OF THAT BOARD MEETING UNTIL AFTER NEXT THURSDAY, AT WHICH TIME GUERRERO PARK COULD BE CONSIDERED OFF THE TABLE. YOU ALSO HAVE A ACTION ITEM 10 TA ACTIVELY SCHEDULED FOR NEXT WEEK TO CONDUCT AND GRANT THE PUBLIC HEARING ON

MAY 25TH. SO YOU COULD ALSO PROVIDE DIRECTION TO THE STAFF TO NOT INCLUDE THAT ON THE AGENDA FOR NEXT WEEK. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

THE DISCUSSION OF ALL OF THE OPTIONS THAT HAVE BEEN PART OF THIS HERE TODAY. TAKING ACTION ON THAT AND -- AND YOU CAN CERTAINLY BE GIVING US DIRECTION OF WHAT YOU ARE INTERESTED IN HAVING POSTED FOR NEXT THURSDAY. WHICH IS VERY BROAD DISCUSSION, PUBLIC DISCUSSION OF ALL OF THOSE OPTIONS HERE. AS WELL AS THE POTENTIAL ACTION ITEM THAT'S BROAD ENOUGH FOR MANY DIFFERENT OPTIONS TO BE CONSIDERED FOR ACTION NEXT THURSDAY. WHAT WE COULD DO AT THE ENVIRONMENTAL BOARD ON MONDAY IS TO TAKE THE ACTION THAT WE POSTED ON TODAY AND BROADEN THAT DISCUSSION AT THE ENVIRONMENTAL BOARD TO INCLUDE A COMPARATIVE INFORMATION THAT -- THE HISTORY, A LITTLE MORE OF COMPARATIVE DATA. THAT WILL ESSENTIAL HAVE SIGNALLED THE ENVIRONMENTAL BOARD THAT YOU ALL ARE OPENING UP THIS DISCUSSION TO BROADER INPUT AND MORE SITES FOR PUBLIC INPUT. ON THURSDAY WE WILL POST CLEAR DIRECTION ON HOW YOU WANT US TO MOVE FORWARD. THAT MIGHT GET AT BOTH INTERESTS.

COUNCILMEMBER MCCRACKEN?

THE ONLY THING IS THIS COUNCIL -- I MEAN, I THINK -- I THINK THERE WAS AN INCORRECT STORY OUT THERE THAT THIS COUNCIL HAS EVER VOTED TO INCLUDE GUERRERO, WHICH WE HAVE NOT. WE WERE ABLE TO FRAME WHAT WE WANT OUR PRESENTATION TO INCLUDE AS THE OPTIONS. I'M NOT SAYING IT WAS THE STAFF RECOMMENDATION BY THE WAY. I WANT TO MAKE THAT CLEAR. OUR WATER DEPARTMENT -- IT'S NOT. WE HAVE BEEN SOLICITING PUBLIC INPUT AND SO -- SO NOW WE HAVE AN OPPORTUNITY NEXT WEEK TO SET THE PARAMETERS OF WHAT OPTIONS WE WANT PRESENTED TO US. SO I GUESS WHAT I'M SAYING IS THAT -- THAT WE HAVE SOLICITED PUBLIC INPUT, NOW WE ARE ABLE TO SAY HERE ARE THE PARAMETERS WHAT WE WANT PRESENTED AS THE OPTIONS. AND WE HAVE -- WE HAVE A DUTY TO THE RATE PAYERS OF THE WATER UTILITY THAT I AM PERSUADED THAT WHILE WE ARE GOASHING WHAT SITES,

NEGOTIATING WHAT SITES, PRIVATE SECTOR SITES ARE AVAILABLE, THAT WE CANNOT REVEAL THOSE AT THIS TIME. BECAUSE WE HAVE A DUTY TO THE RATEPAYERS TO GET THE BEST DEAL IN -- ON THE OTHER HAND WE ALSO HAVE THE OPPORTUNITY TO DEFINE WHAT WE ARE AND ARE NOT CONSIDERING. SO I WOULD SAY LET'S DEFINE IT SO THAT WE ARE NOT -- PART OF OUR PRESENTATION DOES NOT INCLUDE GUERRERO PARK AS ONE OF THE OPTIONS.

MAYOR?

Mayor Wynn: COUNCILMEMBER LEFFINGWELL AND THEN MAYOR PRO TEM.

Leffingwell: I HAVE GATT GOT TO DEGREE WITH COUNCILMEMBER ALVAREZ THAT ANY VOTE THAT REFLECTS A COUNCIL POSITION AT THIS POINT IN TIME, GUERRERO PARK, IS -- IS NOT POSTED FOR ACTION AND I THINK WOULD BE INAPPROPRIATE. AND I THINK IT'S INACCURATELY STATED HERE THAT THIS COUNCIL HAS NEVER TAKEN ON VOTE ON WHICH SITE WOULD BE RECOMMENDED. IN FACT THAT VOTE IS CURRENTLY SCHEDULED, LOOKS LIKE IT MAY BE DELAYED FOR MAY 25th. SO I WOULD BE COMFORTABLE WITH -- WITH TAKING ACTION ON THE MOTION AS COUNCIL -- COUNCILMAN ALVAREZ OUTLINED IT, WITHOUT ADDITIONS OF WHAT I WOULD CONSIDER TO BE UNPOSTED INFORMATION. I THINK THE -- THE SENTIMENTS OF ALL OF THIS CAN BE REFLECTED IN OTHER WAYS. IF IT CONCERNS A POSTING, AGENDA POSTING ITEM WITH THE -- WITH THE ENVIRONMENTAL BOARD, THAT DOESN'T REQUIRE ANY COUNCIL ACTION. THAT CAN BE DONE SEPARATE.

IT DOES SEEM TO BE OBVIOUSLY AS INDIVIDUAL -- INDIVIDUAL COUNCILMEMBERS, EVEN -- EVEN IN TWOS AND THREES, WE COULD MAKE ANY STATEMENT, YOU KNOW, WE INDIVIDUALLY WANT TO MAKE PRIOR TO A VERY BROAD POSTING ITEM NEXT THURSDAY. SO I THINK THERE'S -- THERE'S AMPLE OPPORTUNITY FOR US INDIVIDUALLY, YOU KNOW, TO BEGIN MAKING IT VERY CLEAR THAT WE -- WE MIGHT INDIVIDUALLY HAVE STRONG DEALINGS AND DIRECTION THAT -- STRONG FEELINGS AND DIRECTION THAT WE WILL BRING FROM THE TABLE ON THURSDAY,

COUNCILMEMBER DUNKERLY?

Dunkerly: I THINK THAT I BASICALLY AGREE WITH THAT, BUT I WOULD LIKE TO ADD A COUPLE OF THINGS. WE ARE CONSIDERING SEVERAL SITES FOR THE -- FOR THE NEW DRINKING WATER PLANT. SOME OF THOSE SITES WERE PUBLIC SITES, SOME OF THEM WERE PRIVATE SITES. IT'S VERY IMPORTANT THAT WE KEEP THOSE SITES THAT ARE PRIVATELY OWNED AT LEAST THEIR NAMES PRIVATE, WHILE WE BEGIN TO LOOK AT POTENTIAL NEGOTIATIONS WITH -- WITH ANY OR ALL OF THEM. SO I THINK IN THAT REGARD, ONE OF THE REASONS THAT -- THAT WE HAVE BROUGHT FORWARD, ONE OF THE PUBLIC SITES BECAUSE WE FELT LIKE THERE WAS AN OPPORTUNITY BECAUSE WE KNOW THE DIFFERENTIAL BETWEEN THE PRICE OF THE PRIVATE SITES AND THE PUBLIC SITES, THAT THERE'S A PRETTY BROAD DIFFERENCE BETWEEN THE TWO. AND WE REALLY WANTED TO SEE IF THE COMMUNITY HAD ANY INTEREST IN TAKING THAT DIFFERENTIAL, HOWEVER MANY MILLIONS OF DOLLARS THAT MIGHT BE, AND -- AND USING THAT TO HELP DEVELOP THE PARK. SO -- SO TAKE A PORTION OF THE PARKS, SCREEN IT OFF, PUT A LOT OF -- OF SPACE BETWEEN -- BETWEEN THE TREATMENT -- THE DRINKING WATER PLANT AND THE PARK ITSELF AND USE THAT DIFFERENTIAL TO JUMP START THE REST. WE COULD DO IT SOONER RATHER THAN LATER. MAYBE WE DIDN'T DO A HAVE GOOD JOB IN -- DO A VERY GOOD JOB IN FLOATING THAT BALLOON TO SEE IF THERE WAS ANY INTEREST IN CONSIDERING THAT PLAN. THE ANSWER THAT WE HAVE GOT BACK IS THAT THERE'S NOT IN ANY INTEREST IN IT. I THINK OVER THE NEXT FEW WEEKS AND MONTHS, WE ARE GOING TO BE TAKING REALLY A HARD LOOK AT SOME OF THE OTHER RECOMMENDED SITES. I WANT TO REITERATE AGAIN, THERE WAS NEVER A VOTE TAKEN. STILL HASN'T BEEN, BUT I THINK THAT -- THAT THE INFORMATION THAT WE TRY TO GET TO THE COMMUNITY THAT'S COME BACK TO US LOUD AND CLEAR, THEY ARE NOT INTERESTED IN THE SITE. SO I FOR ONE AS WE GO THROUGH AM GOING TO BE LOOKING STRONGLY AT SOME OF THE OTHER SITES AS WE DEVELOP THAT FINAL RECOMMENDATION.

MAYOR PRO TEM?

Thomas: THANK YOU, THANK YOU, MAYOR. I -- WHEN YOU ARE TALKING ABOUT FLOATING THE BALLOON, I THINK WE NEED TO BE HONEST WITH EVERYBODY TODAY, I THINK WE NEED TO BE HONEST BECAUSE STAFF DID NOT RECOMMEND SOME OF THE PUBLIC SITES THAT CAME FROM US. NOT ME BUT I'M JUST SAYING WHEN YOU TELL ME FLOATING THE BALLOON, LET'S BE HONEST WITH THE PEOPLE. THE THING IS THAT -- THAT I THINK WHEN WE DO IT, WE ARE GOING TO FLOAT A BALLOON, WE NEED TO DO A BETTER APPROACH THAN WHAT WE DID THIS TIME SO WE WON'T BE IN THIS PREDICAMENT OF FLOATING BALLOONS AND HAVING THIS KIND OF -- DISCUSSION THAT WE ARE HAVING TODAY. THANK YOU.

Mayor Wnn: COUNCILMEMBER MCCRACKEN?

McCracken: I GUESS THAT -- I AGREE WITH COUNCILMEMBER LEFFINGWELL THAT WE DON'T NEED -- THAT WE CANNOT DO A VOTE. I'M FOR THE TRYING TO SAY THAT WE HAVE TO DO A VOTE. LAST YEAR FOR INSTANCE IN THE BUDGET POLICY PRESENTATION, WE GAVE DIRECTION WITHOUT A VOTE FROM THE DAIS ON WHAT TAX RATE THE CITY MANAGER WAS TO PREPARE THE BUDGET UNDER. THAT DIDN'T REQUIRE A VOTE, IT PROVIDED COUNCIL DIRECTION ON THE DAIS. I BELIEVE THAT WE ARE PERFECTLY WITHIN OUR POSTINGS AND RIGHTS TO DEFINE WHAT DIRECTION WE ARE TO PROVIDE STAFF AND WHAT THEY ARE TO PRESENT TO US NEXT WEEK. AND SO THAT'S WHAT I'M TRYING TO SAY. I'M NOT EVEN -- MY DIRECTION, IF -- I MEAN, WHAT I SUGGEST THE DIRECTION SHOULD BE IS THAT -- IS THAT WE -- THAT WE HEAR PRESENTATION ON OPTIONS FOR A [INDISCERNIBLE] LANGUAGE THAT I BELIEVE WE DO NEED AND THAT WE NEED WITHIN 62 MONTHS. I DON'T -- I'M GLAD THAT WE ARE GOING TO GET PUBLIC INPUT ON THIS BECAUSE WE DON'T WANT TO BE SAN ANTONIO THAT -- FACES MANDATORY WATER RESTRICTIONS, PUMPING LIKE CRAZY FROM THEIR AQUIFER BECAUSE THEY FAILED TO ACT, EVEN THOUGH THEY ALL KNEW THEY HAD TO HAVE A DRINKING WATER SUPPLY. WE DON'T WANT TO BE THAT IRRESPONSIBLE. WE DON'T WANT TO REPEAT SAN ANTONIO'S MISTAKES. WHAT WE DO WANT TO DO, THOUGH, IS ALSO GIVE SOME CLEAR DIRECTION TO THE CITY MANAGER OF WHAT OPTIONS THE COUNCIL IS INTERESTED

IN HEARING ABOUT AND PRESENTING TO THE PUBLIC. I FOR ONE AM NOT INTERESTED IN HEARING OR PRESENT ACCOUNTING TO THE PUBLIC GUERRERO PARK AS AN OPTION, I DON'T THINK THIS BODY IS, BUT I THINK WE ARE ALSO WITHIN OUR RIGHTS TO ASK, TO GIVE YOU THAT DIRECTION WITHOUT A VOTE.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? WE HAVE A MOTION AND A SECOND ON THE TABLE. BY COUNCILMEMBER ALVAREZ, SECONDED BY ME. DIRECTING THE RELEASE AND SORT OF THE FORMAT OF VERY SPECIFIC INFORMATION. THAT WE HAVE SEEN AND THEN TO EXPAND -- EXPAND THE INFORMATION REGARDING THE OTHER BROADER CONCEPTS IN PARAMETERS THAT WOULD LEAD US TO HAVING A DISCUSSION ABOUT BUILDING AN ADDITIONAL DRINKING WATER TREATMENT PLANT AND POST THE LANGUAGE BROADLY ENOUGH THAT NEXT THURSDAY WE AS A BODY COULD BE VERY CLOSE, COULD VOTE IF SO DESIRED ON -- SO ANY NUMBER OF OPTIONS, INCLUDING ELIMINATING INDIVIDUAL ONES. FURTHER COMMENTS?

McCracken: DO YOU HAVE THE INFORMATION?

Futrell: I THINK I DO. HERE'S WHAT I HAVE HEARD. WE ARE GOING TO PUT ON A VERY BROAD POSTING FOR NEXT THURSDAY THAT'S GOING TO ALLOW THE COUNCIL A LOT OF FLEXIBILITY IN THE DIRECTION THAT THEY GIVE US ON HOW TO MOVE FORWARD. WE ARE GOING TO BE POSTED TO GIVE YOU A BRIEFING NEXT WEEK. WE ARE GOING TODAY, YOU ARE -- THE ACTION ITEM IN FRONT OF US IS TO -- TO BOTH TO RELEASE THE COMPARATIVE DATA INFORMATION, INCLUDING DESCRIBERS, EVERYTHING EXCEPT THE SPECIFIC SITE, NAME, TITLE OF THE TOP SITES THAT WE HAVE BEEN CONSIDERED FOR THE PLANT. WE ARE ALSO GOING TO BE RELEASING AND DISCUSSING ANSWERS TO THE MANY QUESTIONS THAT HAVE BEEN RAISED ON THINGS LIKE WHY CAN'T CONSERVATION CHANGE THIS CURVE OR WHY NOT EXPAND AT ULRICH OR YOU CAN GO ALL THE WAY THROUGH IT. WHAT ABOUT THE DAVIS WATER TREATMENT PLANT? CAN THAT BE EXPANDED OR IS IT -- COULD WE FLIP BACK TO WATER TREATMENT PLANT FOR ANALYSIS, IS IT TOO LATE? IS IT -- MORE OR DOES THAT HAVE TO WAIT TO BE THE SECOND PLANT. WHAT ABOUT WELLS OVER THE

AQUIFER, COULD WE DEFAULT NOW TO GROUND WATER AND MIX THAT INTO OUR WATER SUPPLY. WE ARE GOING TO RUN THROUGH ALL OF THOSE QUESTIONS, GIVE YOU THE BACKGROUND ON THAT. THEN FINALLY, WHY 2011. WHY THE TIME LINE AND ADDING SOME ADDITIONAL TIME LINE TO THIS DISCUSSION FOR INPUT. SO I SEE THAT AS THE ACTION ITEM TODAY. AND THEN HOW I WILL MOVE FAWFD ON THE ENVIRONMENTAL BOARD UNLESS I HEAR SOMETHING DIFFERENT FROM THE BODY HERE TODAY IS WE WILL BROADEN THAT DISCUSSION SO IT'S CLEAR TO THE ENVIRONMENTAL BOARD THERE IS NOT A SINGLE DIRECTION ON A SINGLE SITE. AND WE WILL WAIT FOR THE VERY SPECIFIC DIRECTION ON THURSDAY.

COUNCILMEMBER LEFFINGWELL.

I WOULD LIKE TO COMMENT, CLARIFY THAT THE PRESENTATION THAT WE ARE ASKING FOR ON ALTERNATIVES IS NOT, SHOULD BE A NEUTRAL PRESENTATION ON THE PROS AND CONS OF ALL OF THESE VARIOUS ALTERNATIVES, WE DON'T WANT TO GO INTO IT WITH A PROPER CONCEIVED ANSWER TO THESE QUESTIONS.

FAIR ENOUGH.

FAIR ENOUGH.

COUNCILMEMBER MCCRACKEN.

McCracken: I GUESS I THOUGHT THAT PART OF THE DIRECTION FOR THE ENVIRONMENTAL BOARD IS THAT THERE WAS TO POSTPONE ANY CHAPTER 26 PROCEEDINGS ENDING COUNCIL ACTION NEXT THURSDAY.

Futrell: I KIND OF NEED TO HEAR -- I WOULD BE COMFORTABLE WITH A FORMAL DISCUSSION ON THE DAIS WITHOUT AN ACTION ITEM. IF THERE IS INTEREST IN THE COUNCIL, IN POSTPONING ENVIRONMENTAL BOARD, WITHOUT A VOTE, JUST TO HEAR THAT DISCUSSION, AS PART OF THIS ITEM.

McCracken: I GUESS THEN MAYBE THE WAY TO SAY THIS IS

THAT AT LEAST WITHOUT -- UNLESS THERE'S OBJECTION FROM THIS BODY, WHAT I AM ASKING YOU, AND WE HAVE THE OPPORTUNITY FOR OBJECTION FROM THE DAIS, I'M ASKING YOU NOT TO PROCEED WITH THE CHAPTER 26 PROCEEDINGS ABOUT PARKLAND CONVERSION AT THE ENVIRONMENTAL BOARD THIS COMING MONEY AND INSTEAD TO DEFER THE DISCUSSION OR PROCEEDINGS UNTIL THE COUNCIL HAS THE OPPORTUNITY TO ACT. THAT'S RIGHT.

CITY MANAGER, IF I MAY INTERJECT HERE. I HAVE CONCERN ABOUT, I AGREE WITH YOU IN TERMS OF ROBUST DISCUSSION BY COUNCIL ON THIS ISSUE. BUT I HAVE CONCERNS ABOUT -- ABOUT THE CITY MANAGER RECEIVING DIRECTION FROM THE SINGLE -- FROM A SINGLE COUNCILMEMBER BECAUSE UNDER OUR CITY CHARTER THAT'S NOT THE WAY THAT THE CITY MANAGER GETS HER OR HIS DIRECTION.

Futrell: BUT WE ARE CLOSE. WHAT WE ARE LOOKING FOR HERE IS --

ANOTHER COUNCILMEMBER.

Futrell: ON ROBUST DISCUSSION FROM MULTIPLE MEMBERS OF THE COUNCIL THAT WOULD GIVE ME A SENSE OF THE COUNCIL'S DESIRES.

Alvarez: AGAIN, MAYOR, MY THINKING IS AGAIN, YOU KNOW, WE ARE -- WE HAVE VOTING ON -- THIS IS -- THAT PARTICULAR ELEMENT IS AN ELEMENT OF THE TIME LINE THAT'S BEEN ESTABLISHED FOR CONSIDERING THAT ONE PARTICULAR SITE. AND SO I -- SO YOU KNOW I HONESTLY DO FEEL THAT IT APPROPRIATE TO PUT THIS BEFORE THE ENVIRONMENTAL BOARD WITH ALL OF THE OPTIONS AND THEN BEFORE THURSDAY WE WILL HAVE A RECOMMENDATION BY THE ENVIRONMENTAL BOARD ON ALL OF THE OPTIONS THAT ARE ON THE TABLE AND SO I DON'T NECESSARILY SEE THAT AS A BAD THING FOR US TO HAVE. BECAUSE I THINK IF WE VOTE TODAY IN SOME WAY WHICH I DON'T THINK WE CAN TO SAY LET'S CHANGE THE TIME LINE, I THINK THAT -- THAT, YOU KNOW, THAT -- THAT WE ARE KIND OF REACHING BEYOND WHAT AT LEAST THE INTENT OF THE ITEM I PUT ON THE AGENDA AT LEAST BUT THAT -- BUT THAT,

YOU KNOW, WE ACTUALLY POSTPONED THAT, WE ARE ALMOST ALSO THEN POSTPONING THE WHOLE PROCESS FOR A MONTH BECAUSE YOU HAVE TO HAVE THE HEARING, ISN'T THAT REQUIRED FOR US TO HAVE A HEARING BEFORE THE ENVIRONMENTAL BOARD?

Futrell: YES, IT'S PART OF THE PROCESS.

Alvarez: IT'S PART OF THE CHAPTER 26 PROCESS OF -- OF -- TO A CERTAIN DEGREE WHERE -- WHERE WE ARE MAKING DECISIONS ON TIME LINE AND -- AND AGAIN I THINK THAT WE SHOULD DISCUSS ALL OF THESE ISSUES AND IT'S NOT THAT I DON'T AGREE WITH EXAM ON POINTS HE'S MAKING, IT'S JUST THAT I THINK THAT MY INTENT WAS REALLY TO -- TO HAVE THAT VERY MEAT TEETY DISCUSSION AND DECIDE THOSE VERY ISSUES NEXT WEEK.

MAYOR, I MEAN --

Mayor Wynn: COUNCILMEMBER MCCRACKEN.

McCracken: CITY MANAGER IN TERMS OF, I MEAN, THE ENVIRONMENTAL BOARD WE COULD ALWAYS DO A SPECIAL CALLED MEETING IF FOR SOME REASON LIGHTNING STRUCK AND THEY WERE THE WILL OF THE COUNCIL NEXT THURSDAY TO SAY LET'S CONTINUE WITH A CHAPTER 26 PROCESS, TO PLACE THE WATER TREATMENT PLANT IN GUERRERO PARK. IF THAT WERE TO HAPPEN THEN THE ENVIRONMENTAL BOARD COULD ALWAYS HAVE A SPECIAL CALLED MEETING ON THREE DAYS NOTICE, COULD THEY NOT?

THEY COULD HAVE A SPECIAL CALLED MEETING. I THINK THAT YOU ARE ASKING IF I POSTPONED THE ENVIRONMENT TALL BOARD UNTIL THE COUNCIL'S ACTION ON THURSDAY, WOULD IT DERAIL THE CURRENT CHAPTER 26 PROCESS AND ALISON I WOULD NEED AN ANSWER TO WHERE YOU ARE ON THE TIME FRAME TO HAVE AN ANSWER TO THAT QUESTION.

THERE WOULD BE AN OPPORTUNITY LATER IN THE I'M FRAME FOR THE ENVIRONMENTAL BOARD TO MEET IF WE COULD GET THAT SCHEDULED. IT DOES NOT HAVE TO BE

NEXT WEDNESDAY THE 26th.

I THOUGHT YOU SAID MONDAY.

Futrell: OKAY, I'VE BEEN SAYING MONDAY, IT'S WEDNESDAY. THERE'S ONE ANSWER MUCH ONE ANSWER WOULD BE FTD COUNCIL IS COMFORTABLE AND WANTS IT DELAYED, DOESN'T WANT THAT AS PART OF ITS CONSIDERATION ON THURSDAY IT WOULD DELAY IT AND RESCHEDULE IT TO KEEP IT ON TRACK IF THAT WAS NOT PART OF THE ACTION ON THURSDAY. ONCE AGAIN I NEED TO HEAR FROM YOU ALL ON WHAT YOU WANT, WHAT YOU ARE INTERESTED IN. LET'S LET THE COUNCIL HAVE --

Alvarez: I JUST DON'T WANT IT TO BE PART OF MY MOTION. THAT WAS NOT WAS WHAT I PUT ON THE AGENDA WAS TO MAKE --

McCracken: IT'S NOT PART OF THE MOTION.

Alvarez: I JUST WANTS TO MAKE IT CLEAR THAT THESE OTHER DIRECTIONS ARE NOT PART OF WHAT WE ARE VOTING ON.

Futrell: AND ONCE AGAIN, WE ARE NOT TALKING ABOUT THE VOTE. WE ARE TALKING ABOUT A DISCUSSION.

Mayor Wynn: AGAIN A MOTION AND A SECOND ON THE TABLE THAT'S -- THAT'S BEEN OUTLINED VERY WELL. FURTHER DISCUSSION ON THE MOTION ON THE TABLE? HEARING NONE, ALL IN FAVOR? PLEASE SAY AYE.

". >>AYE.

OPPOSED? MOTION ON ITEM NO. 85 PASSES ON A VOTE OF 7-0. >>

McCracken: CAN WE CONTINUE THE DISCUSSION MOW? WE HAVE TWO COUNCILMEMBERS THAT WE HAVE HEARD FROM ABOUT HOW TO PROCEED, WHAT DIRECTION THE CITY COUNCIL, THE MANAGER TO PROCEED WITH ON THE ENVIRONMENTAL BOARD NEXT WEEK. I THINK WE NEED TO

HEAR MORE.

Mayor Wynn: FURTHER COMMENTS? THE QUESTION THAT I WOULD HAVE PERHAPS OF STAFF, I GUESS THE ENVIRONMENTAL BOARD PROBABLY HAS A NUMBER OF ITEMS ON THEIR AGENDA OR IS THIS A SINGLE --

Futrell: ALISON, IS THIS A SPECIAL CALLED MEETING? NO, IT IS A REGULARLY SCHEDULED MEETING SO THERE ARE OTHER ITEMS ON THE MEETING.

Mayor Wynn: TECHNICALLY DO WE EVEN HAVE THE RIGHT TO -- TO YOU KNOW POSTPONE A MEETING OF ANOTHER BODY, WE ARE JUST TRYING TO GIVE DIRECTION TO THEM ABOUT AN ITEM THAT WE'LL BE TAKING UP THURSDAY THAT MIGHT NOT REQUIRE THEM TO TAKE ANY ACTION ON THAT ITEM NEXT WEDNESDAY.

Futrell: THAT YOU WOULD BE DOING HERE IS REMOVING THIS ITEM, IF THIS WAS THE DIRECTION, WE WOULD BE REMOVING THIS ITEM FROM THEIR AGENDA SHOULD YOU WANT TO CONTINUE, WE WOULD HAVE TO REPOST IT ON A SUBSEQUENT MEETING. FOR THEM.

MAYOR, INCLUDED IN THAT MOTION THAT WE JUST PASSED, WAS THAT FOR THE BROADER DISCUSSION OF THE NEEDS OF THE DRINKING WATER CAPACITY FOR THE -- I'M JUST WONDERING IF THAT -- IF WE ARE GOING TO DO THAT PRESENTATION NEXT THURSDAY, WHY DON'T WE INVITE ALL OF THE APPROPRIATE COMMISSIONS TO COME AND JOIN US AND HEAR WITH US THOSE PRESENTATIONS? AT LEAST THOSE MEMBERS THAT ARE AVAILABLE AND COULD COME.

WE ABSOLUTELY CAN DO THAT, COUNCILMEMBER.

Dunkerly: SO THAT MIGHT BE ONE WAY THAT THEY MAY WANT TO CONSIDER THE COMMISSIONER ITSELF MAY WANT TO CONSIDER POSTPONING THE ITEM UNTIL THEY HEAR THE PRESENTATION WITH THE REST OF US ON THOSE BROADER NEEDS. SO THAT WOULD BE WATER AND WASTEWATER COMMISSION, ENVIRONMENTAL BOARD, PARKS BOARD, WHOEVER ELSE HAS A GENERAL INTEREST, IF YOU COULD

GET AN INVITATION OUT FOR THEM TO JOIN US.

Mayor Wynn: MAYOR PRO TEM.

Thomas: THAT GETS US TO -- TO THE COUNCILMEMBER MCCracken. WHERE ARE WE TRYING TO GO? BECAUSE WHEN THEY WENT IN FRONT OF THE PARKS BOARD, WE DID DISCUSS THE CHAPTER 26, RIGHT? SO I FEEL THAT IT WOULD BE JUST FAIR JUST TO LEAVE IT LIKE LET THEM GET THE SAME PRESENTATION AND WE COME BACK AND DEAL WITH THAT BROAD DISCUSSION. I THINK THAT'S THE FAIR WAY TO DO IT. I DON'T THINK WE SHOULD RESTRICT THE ENVIRONMENTAL BOARD AND WE WILL LET THE PARK BOARD HAVE THE SAME. WE SHOULD GIVE THEM THE SAME OPPORTUNITY. THAT'S JUST MY SUGGESTION.

FURTHER COMMENTS, QUESTIONS? AGAIN WE DON'T HAVE ANY ACTION ON THIS. I WILL JUST SAY SPEAKING FOR MYSELF, I WON'T NEED THE ENVIRONMENTAL BOARD'S SPECIFIC RECOMMENDATION WHEN IT COMES TO THE GUERRERO, THE POTENTIAL GUERRERO SITE FOR THE DRINKING WATER PLANT. IF THEY, YOU KNOW, IF THEY WANT TO TAKE UP THE DISCUSSION AND PERHAPS EVEN BY THEN THEY WILL HAVE THE SAME INFORMATION THAT THE PARKS BOARD HAS. [INDISCERNIBLE] OTHER SITES. I WILL BE GLAD TO AND NEED THEIR ADVICE ON SOME POTENTIAL OTHER SITES. I ESSENTIALLY CAN STATE NOT COMFORTABLY THAT I WON'T NEED THEIR ADVICE ON A POTENTIAL SITE AT THE GUERRERO PARK. COUNCILMEMBER KIM?

Kim: THE ENVIRONMENTAL BOARD MEMBERS OUR VOLUNTEERS, I DON'T THINK WE WANT TO INFLICT THAT PAIN ON THEM [LAUGHTER] SO I, TOO, HAVE HEARD LOUD AND CLEAR THE SENTIMENTS FROM THE COMMUNITY. ALL PARTS OF THE COMMUNITY THAT WE SHOULD BE LOOKING AT OTHER SITES AND I LOOK FORWARD TO THE PRESENTATION NEXT WEEK AS TO WHY IT IS SO TIME SENSITIVE AS WE ARE ASSESSING A LOT OF OPTIONS, THERE ARE CERTAIN CONSTRAINTS WE HAVE TO OPERATE UNDER. I THINK THAT THE MORE WE SHARE WITH THE COMMUNITY, THE BETTER THEY WILL UNDERSTAND THAT -- THE POSITION THE COUNCIL IS IN TO DO WHAT'S BEST FOR ALL OF US. AND ENSURING THAT WE HAVE GOOD CAPACITY FOR WATER

TREATMENT FOR THE NEXT FEW DECADES. SO FOR THE ENVIRONMENTAL BOARD, I THINK THAT THEY CAN LOOK AT THE ISSUE BROADLY AND LOOK FORWARD TO THEIR INSIGHTS AND WORKING WITH OUR APPOINTEES, BUT IT'S CLEAR THAT THE GUERRERO SITE IS NOT AN OPTION THAT -- THAT WE WANT TO CONSIDER AS A VIABLE OPTION RIGHT NOW.

I THINK THERE'S ENOUGH VOICES NOW THAT GIVE SOME INPUT INTO THE ENVIRONMENTAL BOARD AND WE LOOK FORWARD TO SOME DETAILED DISCUSSION HERE NEXT THURSDAY. OKAY. THANK YOU ALL VERY MUCH. I APOLOGIZE FOR FOLKS WAITING FOR ZONING CASES. WITH MR. GUERNSEY'S HELP WE CAN BLAST THROUGH THE CONSENT AGENDA AND SEND THE MAJORITY HOME BEFORE WE BREAK FOR LIVE MUSIC AND PROCLAMATIONS.

Gurensey:: THANK YOU, LET ME GO THROUGH THE FIRST SET OF ITEMS WHERE THE HEARINGS ARE CLOSED. FIRST IS 69, ZONING CASE C14-04-95 CRIPPEN SHEET METAL, REZONING REQUEST FROM DEVELOPMENT RESERVE OR DR ZONING TO LIMITED INDUSTRIAL SERVICES CONDITIONAL OVERLAY COMBINING DISTRICT ZONING OR LI-CO ZONING. THIS IS READY FOR THIRD READING AND MAY BE OFFERED BY CONSENT. ITEM NO. 70, C14-04-05-0201, 2100 PARKER LANE, THE STAFF IS RECOMMENDING A POSTPONEMENT TO APRIL 27th. STAFF IS RECOMMENDING POSTPONEMENT ON ITEM NO. 70 TO APRIL 27th TO FINALIZE THE LANGUAGE DEALING WITH THE PROTECTED TREES. ITEM NO. 71, C14-06-0017. SH, THE PARKER LANE SENIORS. THE PROPERTY LOCATED AT 3435 PARKER LANE. THIS IS A REZONING REQUEST FROM MULTI-FAMILY RESIDENCE LIMITED DENSITY FOR MF 1 DISTRICT ZONING TO COMMUNITY COMMERCIAL MIXED USE CONDITIONAL OVERLAY COMBINING DISTRICT ZONING OR GR-MU-CO ZONING. THIS IS READY FOR SECOND AND THIRD READINGS. JUST LIKE TO POINT OUT ON THE DAIS IS A REVISED ORDINANCE THAT DOES REFLECT THE ACTIONS TAKEN AT FIRST READING. ITEM NO. 72 IS C14-05063, FOR THE PROPERTY LOCATED AT 601 WEST APPLE GATE DRIVE. THIS IS A REZONING FROM SINGLE FAMILY DISTRICT ZONING OR SF 2 ZONING TO COMMERCIAL RECREATION CONDITIONAL OVERLAY COMBINING DISTRICT ZONING OR C-CO ZONING. THIS IS READY FOR CONSENT ON SECOND AND

THIRD READING. ITEM NO. 73, CASE C14-98-C14-050085, KNOWN AS THE POWERS 20 PROPERTY LOCATED AT 11520 NORTH I-35 SERVICE ROAD, THIS IS A REZONING REQUEST FROM GENERAL OFFICE OR GO ZONING TO COMMUNITY COMMERCIAL CONDITIONAL OVERLAY. OR GR-CO ZONING. IT'S POSTPONED TO THE JULY 27th MEETING. THE NEIGHBORHOOD REPRESENTATIVE THAT IS PRESENT HERE THIS EVENING OBJECTS TO THE LENGTH OF THAT POSTPONEMENT. HAS JUST NOTED THAT THE APPLICANT HAS ASKED FOR PREVIOUS POSTPONEMENTS. SO I WOULD OFFER THAT AS A -- POSSIBLY A DISCUSSION POSTPONEMENT UNLESS COUNCIL WANTS TO TAKE SOME SPECIFIC ACTION ON ITEM NO. 73. THAT CONCLUDES THE CONSENT POSTPONEMENT ITEMS, THE PUBLIC HEARINGS HAVE BEEN CLOSED.

THANK YOU, MR. GUERNSEY, ITEM 74 SOUNDS LIKE WE HAVE ALREADY GRANTED AN APPLICANT REQUEST FOR POSTPONEMENT EARLIER IN THE -- IN THE PROCESS. HIS OR HER REQUEST IS FOR A RELATIVELY LENGTHY POSTPONEMENT. NEIGHBORHOOD IN OPPOSITION. 73 EXCUSE ME. THAT'S RIGHT. ITEM 73. AND SO MR. GUERNSEY, OBVIOUSLY THERE'S NOT -- IT WOULDN'T BE PREPARED FOR CONSENT EITHER IF WE HAD THE DISCUSSION BECAUSE THERE'S OBVIOUSLY SOME OPPOSITION. CORRECT?

THAT'S CORRECT. IT'S ONLY READY FOR SECOND READING AT THIS TIME. AS I SAID, BOTH THE APPLICANT AND THE APPLICANT'S AGENT AND THE NEIGHBORHOOD REPRESENTATIVE HERE IF YOU WANT TO HEAR FROM BOTH SIDES VERY BRIEFLY, THEY COULD SPEAK TO THE REASONS WHY THEY ARE REQUESTING THE POSTPONEMENT. THERE IS A LETTER ON THE DAIS FROM THE APPLICANT ADDRESSING THEIR POSTPONEMENT REQUESTS AND SOME CONCERNS THAT THEY'VE HAD.

Mayor Wynn: MY RECOMMENDATION IS IT MIGHT TAKE A WHILE, WE CAN GET THROUGH THE CONSENT AGENDA ON THESE CASES, PROBABLY SKIP THROUGH THE CONSENT AGENDA ON PUBLIC HEARINGS SEND MORE PEOPLE HOME BEFORE THE 5:30 BREAK. IF WE HAVE TIME WE CAN TAKE UP THE DISCUSSION OF THIS POTENTIAL POSTPONEMENT. SO WITHOUT OBJECTION, THEN OUR CONSENT AGENDA ON

THESE CASES WHERE WE HAVE ALREADY HELD AND CLOSED THE PUBLIC HEARING WILL BE TO APPROVE ON THIRD READING ITEM NO. 69, POSTPONE ITEM NO. 70 APRIL 27th, APPROVE ON SECOND AND THIRD READINGS ITEMS 71 AND 72. I'LL ENTERTAIN A MOTION. MOTION MADE BY EXAM, SECONDED BY COUNCILMEMBER LEFFINGWELL TO APPROVE THE CONSENT AGENDA AS READ. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED?

[INDISCERNIBLE] SHOW ME VOTING NO ON 69 PLEASE MAYOR.

Mayor Wynn: IT PASSES GENERALLY ON A VOTE OF 6-0, WITH MAYOR PRO TEM OFF THE DAIS, WITH THE EXCEPTION OF ITEM NO. 69, WITH COUNCILMEMBER KIM VOTING NO.

Guernsey: THANK YOU, LET ME GO ON THEN TO THE PUBLIC HEARING ITEMS. I CAN OFFER FOR POSTPONEMENT CONSENT OR CONSENT. THE FIRST ITEM IS ITEM NO. 74, C14-04-0030, KNOWN AS THE TIME INSURANCE PROPERTY LOCATED AT 1405 AND 1415 EAST RIVERSIDE DRIVE. THIS IS REZONING REQUESTS FROM LIMITED OFFICE OR L.O. AND FAMILY RESIDENTS OR SF 3 ZONING TO GR-MU ZONING. THE STAFF IS REQUESTING A POSTPONEMENT OF THIS ITEM TO JUNE 8th. I HAVE SPOKEN WITH THE OWNERS REPRESENTATIVE AND SOME OF THE NEIGHBORHOOD REPRESENTATIVES REGARDING THIS ITEM. THEY ARE STILL GOING THROUGH A MEDIATION PROCESS AND THIS POSTPONEMENT WAS -- IS WITH THE UNDERSTANDING THAT ON JUNE 8th YOU WOULD ACTUALLY HEAR THE CASE AND THAT THE -- ALL OF THE MEDIATION PROCEEDINGS WOULD BE CONCLUDED BY MAY 25th. AND WITH THAT UNDERSTANDING WE COULD OFFER THIS AS A CONSENT POSTPONEMENT ITEM TO JUNE 8th. ITEM NO. 75, THIS CASE C 814-04-187 SH, KNOWN AS THE GOODNIGHT RANCH P.U.D. LOCATED ON THE EAST SIDE OF OLD LOCKHART HIGHWAY BETWEEN NUCHOLS CROSSING AND CAPITOL VIEW DRIVE, REZONING FROM INTERIM RURAL RESIDENTIAL OR IRR ZONING TO P.U.D. DISTRICT ZONING. THE ZONING AND

PLATTING COMMISSION MADE -- RECOMMENDED THIS REZONING REQUEST. WITH CONDITIONS AND THIS IS READY FOR CONSENT APPROVAL ON FIRST READING ONLY. ITEM NO. 76, C14-05217, THE PROPERTY LOCATED AT 1204 WEST SLAUGHTER LANE, A REZONING REQUEST FROM SINGLE FAMILY RESIDENTS STANDARD LOT OR SF 2 DISTRICT ZONING TO NEIGHBORHOOD COMMERCIAL CONDITIONAL OVERLAY COMBINING DISTRICT ZONING OR LR-CO ZONING AND THIS IS READY, THE ZONING AND PLATTING COMMISSION RECOMMENDED THE L.O. ZONING AND THIS IS L.O.-CO ZONING, READY FOR CONSENT APPROVAL ON ALL THIRD READING. ALL THREE READINGS. ITEM NO. 77, C14-06-0015, FOR THE PROPERTY LOCATED AT 2311 PRUETT STREET, REZONING REQUEST FROM GENERAL COMMERCIAL SERVICES OR CS DISTRICT ZONING TO FAMILY RESIDENCE OR SF 3 DISTRICT ZONING. THE ZONING AND PLATTING COMMISSION RECOMMENDED THIS REZONING REQUEST. AND IT'S -- EXCUSE ME. READY FOR ALL THREE READINGS. EXCUSE ME, ITEM NO. 78, 505 DEEP EDDY A DISCUSSION ITEM, I BELIEVE THAT YOU HAVE SEVERAL SPEAKERS SIGN UP FOR THIS ITEM. 79 IS C14-06-0013, PAVILION CONDOMINIUMS LOCATED AT 11819 PAVILION BOULEVARD, A REZONING FROM COMMUNITY COMMERCIAL OR GR DISTRICT ZONING TO MULTI-FAMILY RESIDENCE HIGHEST DENSITY OR MF DISTRICT ZONING. THE ZONING AND PLATTING COMMISSION WILL CONSIDER THIS REZONING REQUEST ON MAY 2nd, THEREFORE STAFF ASKED FOR A POSTPONEMENT OF THIS ITEM TO YOUR MAY 18th MEETING. ITEM NO. 80 C 814-89-0006.03, THE CANYON RIDGE P.U.D. AMENDMENT NUMBER 3 FOR THE PROPERTY LOCATED AT 7300 F.M. 2222 AND 6500 AND 6508 JESTER BOULEVARD. THIS REZONING REQUEST FROM P.U.D. TO P.U.D. WITH A -- IN ORDER TO CHANGE THE CONDITIONS OF ZONING. THE APPLICANT HAS REQUESTED A POSTPONEMENT OF THIS REQUEST. IT'S MY UNDERSTANDING THE NEIGHBORHOOD IS IN AGREEMENT. AND THIS POSTPONEMENT REQUEST IS TO APRIL EXCUSE ME TO MAY 18th. ITEM NO. 81, C14-05171, THE GROVE AT SOUTH PARK MEADOWS, THE PROPERTY LOCATED AT 301 WEST SLAUGHTER LANE AND 9501 SOUTH FIRST STREET. REZONING INTEREST FROM INTERIM RURAL RESIDENTIAL, LIMITED OFFICE CONDITIONAL OVERLAY DISRIENG DISTRICT ZONING AND GENERAL SERVICES CONDITIONAL OVERLAY

ZONING, TO COMMUNITY COMMERCIAL MIXED USE
CONDITIONAL OVERLAY COMBINING DISTRICT ZONING, FOR
TRACTS 1 AND 2, TOWNHOUSE CONDOMINIUM RESIDENCE
OR SF 6 DISTRICT ZONING FOR SF 3, TOWNHOUSE CON
RESIDENCE CONDITIONAL OVERLAY FOR SF 6 CO ZONING
FOR TRACT 4 AND COMMUNITY COMMERCIAL CONDITIONAL
OVERLAY COMBINING DISTRICTS ZONING OR GR-CO FOR
TRACT 5. THE ZONING AND PLATTING COMMISSION MADE A
RECOMMENDATION FOR THIS REQUEST WITH CONDITIONS.
STAFF WOULD LIKE TO ADDRESS SOME OF THE
TRANSPORTATION ISSUES THAT CAME OUT OF THE ZONING
AND PLATTING COMMISSION RECOMMENDATION AND WOULD
LIKE TO DISCUSS THIS ITEM.

Mayor Wynn: THANK YOU, MR. GUERNSEY, COUNCIL, OUR
CONSENT AGENDA ON THESE PUBLIC HEARING ZONING
CASES WILL BE, POSTPONE 74 TO JUNE 8th, 2006. WE WILL
NOT THAT STEVEN CLARK WAS HERE, SIGNED UP IN
OPPOSITION TO CLOSE THE PUBLIC HEARING AND APPROVE
ON FIRST READING ONLY, ITEM 75, TO CLOSE THE PUBLIC
HEARINGS AND APPROVE ON ALL THREE READINGS ITEMS 76
AND 77. TO POSTPONE ITEM 79 TO MAY 18th, 2006. TO
POSTPONE ITEM 80, ALSO TO MAY 18th 2006 WE WILL NOTE
THAT PETER TORGENSON SIGNED UP IN OPPOSITION. OUR
ASKED ON THESE PUBLIC HEARING CASES.

Alvarez: MOVE APPROVAL.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER ALVAREZ,
SECONDED BY COUNCILMEMBER DUNKERLY TO APPROVE
THE CONSENT AGENDA AS READ. FURTHER COMMENTS?

I JUST HAVE A QUESTION. ITEM NO. 74, CAN YOU TELL ME
WHAT THAT FIRST CAME ON THE COUNCIL AGENDA?

I WILL HAVE TO LOOK IT UP BECAUSE IT WAS SO LONG AGO.
THAT CASE ORIGINALLY CAME BEFORE THE COUNCIL I
BELIEVE AT THE END OF 2004. THERE WAS AN INDEFINITE
POSTPONEMENT, BROUGHT BACK BEFORE THE CASE
EXPIRED IT HAS BEEN ON YOUR AGENDA, OR AND OFF SINCE
OCTOBER OF 2004.

SINCE OCTOBER 2004?

YOU SAY IT'S NOT EXPIRED, DOES IT EXPIRE.

IT'S NOT EXPIRED BECAUSE WHAT WE DO IS WE CONTINUE TO POSTPONE THIS CASE TO A TIME DATE CERTAIN, WHICH KEEPS THIS CASE ALIVE.

OKAY. SO JUNE 8th IS THE ABSOLUTELY, POSITIVELY ACTION DATE?

IT'S MY UNDERSTANDING TALKING WITH THE APPLICANT'S AGENT, THE NEIGHBORHOOD REPRESENTATIVES, THEY BOTH AGREED JUNE 8th YOU WOULD ACTUALLY HEAR THIS CASE. BOTH PARTIES AGREED THAT MAY 25th THEY WOULD RESOLVE ALL THE MEDIATION ISSUES. SO HOPEFULLY ALL OF THE MEDIATION WILL BE DONE BY THAT DATE.

Leffingwell: OKAY. THANK YOU.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS ON THE CONSENT AGENDA. WE HAVE A MOTION AND A SECOND ON THE TABLE. HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH THE MAYOR PRO TEM TEMPORARILY OFF THE DAIS. THANK YOU, MR. GUERNSEY. SO WE WILL HAVE A COUPLE OF DISCUSSION ITEMS FOLLOWING OUR LIVE MUSIC AND PROCLAMATIONS. STAY TUNED TO THE GRASSY KNOLL BOYS, WHO WILL BE SETTING UP QUICKLY. THANK YOU. SO WE -- SO WHILE THE COUNCIL IS OFF THE DAIS, WE WILL BE IN RECESS.

Mayor Wynn: OKAY, FOLKS, WELCOME TO OUR WEEKLY LIVE MUSIC GIG AT THE AUSTIN CITY COUNCIL. JOINING US TODAY REPRESENTING THE OLD SETTLERS MUSIC FESTIVAL ARE THE GRASSRY KNOLL BOYS WHO INCORPORATE HILL BILLY, BLUES IN THE REPERTOIRE. THEY HAVE OLD MATERIAL AS WELL AS WRITING AND RECORDING THEIR OWN SONGS. THE GRASS SEEY KNOLL BOYS WAS RECENTLY PICKED UP BY

LOCAL LABEL GENUINE RECORDINGS. PLEASE WELCOME ME
IN JOINING A TRADITIONAL YET VERY INNOVATIVE BLUE
GRASS BAND. THE GRASSY KNOLL BOYS. [(music) MUSIC
PLAYING (music)(music)] [(music) SINGING (music)(music)] [
APPLAUSE]

Mayor Wynn: I ASSUME WE CAN CATCH YOU ALL AT THE OLD
SETTLER'S MUSIC FESTIVAL. TELL US YOU HAVE A WEEKLY
GIG IN TOWN, WORKING ONE BY THE CD. A WEBSITE, WHAT'S
THE DEAL?

WE HAVE TAKEN OVER DON WALLSER'S OLD SPOT AT
JOVITA'S EVERY TUESDAY NIGHT FROM 8:00 TO 10:00 ON
FIRST STREET. WE PLAY REGULARLY ALL OVER THE PLACE.
CHECK OUT OUR WEBSITE AT www.grassyknollboys.com. YOU
CAN GET OUR CD ANYWHERE IN THE VIRTUAL WORLD. I
THINK RECORD STORES ARE KIND OF A BIT ARCHAIC NOW.
BUT THE ONES THAT STILL EXIST YOU CAN GET OUR STUFF.

JOHN AT WATERLOO WILL SELL IT TO US, RIGHT.

I SHOULDN'T HAVE SAID THAT ABOUT THE RECORD STORES,
A REALLY BAD POLITICAL MOVE ON MY PART.

WE HAVE A PROCLAMATION THAT READS. READS: BE IT
KNOWN WHEREAS THE LOCAL MUSIC COMMUNITY MAKES
MANY CONTRIBUTIONS TOWARDS THE DEVELOPMENT OF
AUSTIN'S SOCIAL, ECONOMIC AND CULTURAL DIVERSITY,
WHEREAS THE DEDICATED EFFORTS OF ARTISTS FURTHER
AUSTIN'S STATUS AS THE LIVE MUSIC CAPITAL OF THE
WORLD, THEREFORE I WILL WYNN, MAYOR OF THE CITY OF
AUSTIN, TEXAS DO HEREBY PROCLAIM TODAY AND CALL ON
ALL CITIZENS TO JOIN ME IN CONGRATULATING THIS GREAT
TALENT. [APPLAUSE] IS THAT WHILE THE GRASSY KNOLL
BOYS BREAK DOWN ON THAT SIDE OF THE ROOM, WE WILL
HAVE A SPECIAL PRESENTATION TO US FROM THE
ENVIRONMENTAL PROTECTION AGENCY, ASK MR. MICHAEL
[INDISCERNIBLE] TO COME JOIN ME AT THE PODIUM TO
PRESENTS THE AWARD. WE HAVE SENIOR LEADERSHIP,
DEPUTY CITY MANAGER, JOHN CANALS AND DEPARTMENT
WASTEWATER UTILITY DEPARTMENT -- EMPLOYEES HERE AS
WELL.

IT'S A PLEASURE FOR ME TO BE HERE BEFORE THE COUNCIL TO PRESENT THIS RECOGNITION TO THE AUSTIN WATER UTILITY. A LITTLE OVER TWO YEARS AGO, EPA REGION 6 APPROACHED THE AUSTIN WATER UTILITY ASKED THEM TO PARTNER WITH US IN THE CAPACITY MANAGEMENT OPERATION AND MAINTENANCE WORKSHOP, COMMONLY REFERRED TO AS CMOM. AGAIN, THIS YEAR THE AUSTIN WATER UTILITY GRACIOUSLY AGREED TO CONTINUE WITH THAT EFFORT. AND SPONSORED WITH TCEQ THE WATER ENFORCEMENT ASSOCIATION OF TEXAS AND E.P.A. REGION 6 THE THIRD ANNUAL CMOM WORKSHOP HELD AUGUST 29th AND 30th 2005. AT THIS WORKSHOP THIS YEAR THERE WERE MORE THAN 420 ATTENDEES REPRESENTING MUNICIPALITIES ALL AROUND REGION 6. WITH SPECIAL THANKS I WOULD LIKE TO EXTEND A SPECIAL THANKS TO RAJ, RENALDO CANTU, GOPAUL, AND CHRIS LIPSKI ALL WITH THE CITY OF AUSTIN FOR THEIR DEVOTION AND TIME SPENT PREPARING ANOTHER OUTSTANDING WORKSHOP. WE HAVE PREPARED A PLAQUE FOR THEM, FOR THE AUSTIN WATER UTILITY, TO -- TO HANG IN THEIR OFFICE, I WILL READ IT. IN RECOGNITION OF AND APPRECIATION FOR THE CONTRIBUTIONS MADE BY COLLECTION SYSTEMS SERVICES DIVISION, AUSTIN WATER UTILITY, CITY OF AUSTIN, TO THE REGION 6 CMOM WORKSHOP, AUGUST 2005.

THANK YOU. [APPLAUSE]

IN ADDITION FOR THOSE FOUR MEMBERS OF THE AUSTIN WATER UTILITY, I ALSO HAVE BROUGHT SPECIAL COINS THAT WE HAVE HAD MADE IN RECOGNITION FOR THEIR EFFORTS, THESE COINS ON ONE SIDE HAVE THE E.P.A. SYMBOL, AND ON THE OTHER SIDE HAVE OUR REGION 6 ENFORCEMENT SYMBOL. THANK YOU. [APPLAUSE]

THANK YOU VERY MUCH. JUST WANTED TO ADD A SPECIAL THANKS IN RECOGNITION TO THE STAFF OF THE AUSTIN WATER UTILITY. IT -- THAT NOT ONLY HELPED PUT THIS PROGRAM TOGETHER AND HELPED PUT THIS CONFERENCE TOGETHER, ALONG WITH RAJ, BUT ALSO DOES THE -- THE DAY TO DAY HARD JOB OF -- OF INVESTIGATING PROBLEMS IN OUR WASTEWATER COLLECTION SYSTEM AND IN GETTING OUT AND TAKING CARE OF THOSE PROBLEMS. OUR THANKS

TO THEM AS WELL. THANK YOU. [APPLAUSE]

OKAY, OUR FIRST PROCLAMATION THIS WEEK IS REGARDING VOLUNTEER WEEK. I'M JOINED BY A NUMBER OF FINE FOLKS, BUT JOANNA JOHNSON WILL FOLLOW ME AND INTRODUCE THEM AND TALK ABOUT OUR VOLUNTEER EFFORTS. THE PROCLAMATION FIRST READS: BE IT KNOWN WHEREAS MILLIONS OF VOLUNTEERS WORKING IN THEIR COMMUNITIES UTILIZE THEIR TIME AND TALENT DAILY TO MAKE A REAL DIFFERENCE IN THE LIVES OF CHILDREN, ADULTS AND ELDERLY. WHEREAS EXPERIENCE TEACHES US THAT GOVERNMENT BY ITSELF CANNOT SOLVE ALL OF OUR NATION'S SOCIAL PROBLEMS, BUT THE ENTIRE COMMUNITY CAN AFFECT POSITIVE CHANGE WITH VOLUNTEER ACTION, NO MATTER HOW BIG OR SMALL, WHEREAS OUR CITY'S VOLUNTEER FORCE OF MORE THAN 9,000 PEOPLE IS A GREAT TREASURE, WE ARE PLEASED TO ACKNOWLEDGE THEIR VITAL CONTRIBUTIONS TO THE SUCCESS OF THE MANY DEPARTMENTS AND PROGRAMS. NOW THEREFORE I WILL WYNN, MAYOR OF AUSTIN DO HEREBY PROCLAIM THIS WEEK, APRIL 16th THROUGH 22nd, 2006 NATIONAL VOLUNTEER RECOGNITION WEEK AND CALL ON JOANNA TO STEP FORWARD, INTRODUCE SOME OF OUR FINE EMPLOYEES, TALK ABOUT THE VOLUNTEER EFFORTS OF YOUR CITY EMPLOYEE. PLEASE JOIN ME IN CONGRATULATING AND THANKING HER FOR HER GREAT WORK. [APPLAUSE]

THANK YOU, MAYOR AND COUNCIL WE APPRECIATE THE RECOGNITION OF ALL OF THE VOLUNTEERS FOR THE CITY OF AUSTIN, FOR THOSE OF US THAT WORK WITH THE VOLUNTEERS ON A DAILY BASIS. THE CITY OF AUSTIN HAS BEEN RICHLY BLESSED THIS LAST YEAR WITH TENS OF THOUSANDS OF VOLUNTEERS THAT HAVE COME FORWARD FOR ONGOING DAILY SUPPORT OF OUR DIFFERENT DEPARTMENT PROGRAMS AS WELL AS CERTAINLY DURING OUR KATRINA AND RITA RELIEF EFFORTS. THIS -- THE CITY OF AUSTIN WAS JUST OVERWHELMED WITH A NUMBER OF PEOPLE AVAILABLE TO OFFER WHATEVER AID THEY COULD TO OUR VAC WEES. WE APPRECIATE -- EVACUEES, WE KNOW WE COULDN'T DO WHAT WE DO WITH THE CITY OF AUSTIN WITHOUT THE SUPPORT OF THE VOLUNTEERS. I WOULD LIKE TO RECOGNIZE THE DIFFERENT DEPARTMENT

COORDINATORS. SOME OF THEM COULD NOT BE WITH US TODAY. SONYA CORRION AND [INDISCERNIBLE] WITH THE AUSTIN POLICE DEPARTMENT, SHARON EDWARDS IS WITH THE AUSTIN PUBLIC LIBRARY. GAIL McLAMBBRY WITH THE AUSTIN WATER UTILITY. JIM HALBROOK WITH THE AVIATION DEPARTMENT. WARD KIRK PATRICK WITH COMMUNITY CARE SERVICES DEPARTMENT. THAT IS A BRAND NEW VOLUNTEER DEPARTMENT JUST STARTING UP THIS YEAR, WE ARE REAL EXCITED ABOUT HAVING THEM ON BOARD. MARTY CASTIO WITH HEALTH AND HUMAN SERVICES, I'M WITH TOWN LAKE ANIMAL CENTER. LETICIA PEREZ WITH MUNICIPAL COURT. TIFFANY TANGLER, ALONG WITH MCGINNIS. PARKS AND RECREATION DEPARTMENT. THANK YOU VERY MUCH FOR THIS RECOGNITION. THE CITY IS SO MUCH BETTER FOR ALL OF THE CONTRIBUTIONS THAT THE STAFF GAVE TO US AS VOLUNTEER COORDINATORS AND FOR THE NUMBER OF VOLUNTEERS THAT COME FORWARD TO HELP PROVIDE THESE CITY SERVICES TO THE ANIMALS, TO THE ELDERLY, TO THE LIBRARY, TO THE EMERGENCY EFFORTS AND TO OUR PARKS DEPARTMENT. THANK YOU. [APPLAUSE]

Mayor Wynn: I'M JOINED BY COLLEEN CHRIS CENTRAL TEXAN AND DAVID LURIE, THE DIRECTOR OF OUR PUBLIC HEALTH DEPARTMENT. THIS NEXT OPERATION IS PRACTICE NATION IS NATIONAL INFANT IMMUNIZATION WEEK. WE CAN'T STRESS ENOUGH THE IMPACT THAT CHILD IMMUNIZATION CAN HAVE ON PUBLIC HEALTH. I WILL READ THE PROCLAMATION, HAVE DAVID OR COLLEEN SAY A FEW WORDS. BE IT KNOWN THAT WHEREAS VACCINES ARE AMONG THE 20th CENTURY'S MOST SUCCESSFUL AND COST EFFECTIVE TOOLS FOR PREVENTING DISEASE AND DEATH AND A PROVEN WAY PARENTS CAN PROTECT THEIR CHILDREN FROM SERIOUS DISEASES. WHEREAS WE ENCOURAGE PUBLIC AND PRIVATE HEALTH CARE PROVIDERS, COMMUNITY BASED ORGANIZATIONS AND SERVICE GROUPS TO SPREAD THE MESSAGE THAT IMMUNIZATIONS HAVE REDUCED PREVENTABLE DISEASES BY 99%. AND WHEREAS ESPECIALLY DURING THIS SPECIAL WEEK, WE URGE PARENTS AND THE PUBLIC AND PRIVATE HEALTH CARE PROVIDERS TO ADVANCE THE HEALTH OF OUR CHILDREN BY ENSURING EARLY AND ON TIME IMMUNIZATIONS FOR INFANTS AND TODDLERS 24 MONTHS

AND YOUNGER. NOW, THEREFORE I WILL WIN, MAYOR OF AUSTIN, DO HEREBY PROCLAIM APRIL 22nd THROUGH 29th AS NATIONAL INFANT IMMUNIZATION WEEK IN AUSTIN. AND AGAIN CALL ON DAVID OR COLLEEN OR DR. VALADEZ TO STEP FORWARD AND TALK TO US ABOUT HOW WE AS A CITY ORGANIZATION, OUR PUBLIC HEALTH DEPARTMENT TRIES TO COORDINATE AS MUCH AS WE CANNED BROADER EFFORT OF CHILDHOOD IMMUNIZATION. FOLKS. DAVID?

THANK YOU. THANK YOU, MAYOR WYNN, WE REALLY APPRECIATE THIS PROCLAMATION FROM THE CITY COUNCIL. VACCINES REPRESENT ONE OF THE MOST SIGNIFICANT SUCCESS STORIES IN PUBLIC HEALTH OVER THE LAST CENTURY. HOWEVER, VACCINE IS ONLY EFFECTIVE IF IT'S CURRENT AND COMPLETE. KEEPING THOSE IMMUNIZATIONS UP TO DATE, WE ENCOURAGE IMMUNIZATIONS FOR YOUNG CHILDREN AND INFANTS AND BUT ALSO FOR -- FOR ADULTS. IT'S A VERY SIGNIFICANT AND EFFECTIVE TOOL IN TERMS OF FULFILLING OUR PUBLIC HEALTH MISSION TO PROMOTE COMMUNITY-WIDE WELLNESS TO PREVENT DISEASE AND PROTECT THE COMMUNITY FROM INFECTIOUS DISEASES. THESE VACCINES, THESE IMMUNIZATIONS PROTECT NOT ONLY THE INDIVIDUAL WHO IS IMMUNIZED BUT ALSO THE REST OF THE COMMUNITY FROM THE SPREAD OF INFECTIOUS DISEASES. GOOD FOR HEALTH AND ECONOMICS, WHETHER IT BE HEPATITIS B OR MEASLES, MUMPS, RUBELLA VACCINE, THE PAYOFF IN TERMS OF REDUCED COSTS AS FAR AS HEALTH CARE ARE VERY SIGNIFICANT. IT'S A VERY WISE INVESTMENT. WE HAVE A VERY SUCCESSFUL SHOTS FOR TOTS PROGRAM WHICH LAST YEAR VACCINATED OVER 14,000 PEOPLE WITH 40,000 DOSES OF VACCINE. I WANT TO ASK COLLEEN CHRISTIAN TO TALK ABOUT THE EVENTS ASSOCIATED WITH THIS WEEK. PERHAPS DR. VALADEZ, OUR MEDICAL DIRECTOR, WOULD ALSO LIKE TO COMMENT AS WELL. I'M SORRY, COLLEEN.

THANK YOU, MAYOR WYNN. MR. LURIE. THE SHOTS FOR TOTS PROGRAM SEPARATES THROUGHOUT THE CITY OF AUSTIN, PROVIDES FREE IMMUNIZATIONS TO ANYONE IN THE COMMUNITY. DURING INFANT IMMUNIZATION WEEK, WE ARE REALLY ENCOURAGING PEOPLE TO MAKE SURE THEY ARE COMPLETE AND MAKE SURE THEY ARE CURRENT. WE ARE WITH THE U.T. SCHOOL OF PHARMACY STUDENT

ASSOCIATION. WE HAVE DEVELOPED A PROMOTIONAL CAMPAIGN BEING ADMINISTERED THROUGH PHARMACIES ACROSS THE CITY. THEY WILL PROVIDE PROMOTIONAL MATERIALS TO CHILDREN AND THEIR PARENTS. ALSO IN REGARDS TO BEING COMPLETE AND CURRENT WE ARE EDUCATING OUR MEDICAL PROVIDERS, WE ARE HAVING A WORKSHOP NEXT WEEK IN CONJUNCTION WITH THE MIGRANT CLINICIANS COUNCIL AND THAT WILL BE TO PROVIDE EDUCATIONAL WORKSHOP FOR HEALTH CARE PROVIDERS IN THE AUSTIN AREA. THANKS. [APPLAUSE]

Mayor Wynn: THIS WILL BE FUN, NEXT IS A CERTIFICATE OF CONGRATULATIONS TO TEXAS GAS SERVICE, I'M JOINED BY THREE OF THE LEADERSHIP TEAM AT TEXAS GAS SERVICE OF COURSE ROGER MITCHELL, BOBBY BARKER, LARRY GRAM, I WAS AT THERE -- THEIR NORTH AUSTIN FACILITY RECENTLY TO -- TO BE THERE AS THEY RECEIVED THIS AWARD. I WILL READ HERE IN A SECOND, IT'S VERY FUN TO SEE THAT ESSENTIALLY A PARTNER IN THE CITY OF AUSTIN, A UTILITY PROVIDER HERE ALONG WITH THE CITY, OF COURSE, THAT MAKES IT POSSIBLE FOR SO MANY OF OUR COMPANIES AND CITIZENS TO BE AS SUCCESSFUL AS THEY AND WE ARE BEING. BUT FOR A UTILITY PROVIDER LIKE TEXAS GAS SERVICE TO BE RECOGNIZED BY J.D. POWER WAS A PRETTY BIG DEAL. AND YOU KNOW, SEE THIS SAME SORT OF TROPHY THAT YOU SEE IN BMW COMMERCIALS OR OTHER CORPORATIONS OR PRODUCTS IT WAS REMARKABLE TO SEE HERE WITH OUR UTILITY PROVIDER. SO THIS CERTIFICATE OF CONGRATULATIONS READS: THIS IS TO CERTIFY THAT FOR HAVING RECEIVED A TOP CUSTOMER SATISFACTION AWARD FOR 2006 FROM J.D. POWER AND ASSOCIATION, TEXAS GAS SERVICE IS DESERVING OF PUBLIC ACCLAIM AND RECOGNITION. TEXAS GAS SERVICE WAS NAMED FIRST IN CUSTOMER SATISFACTION AMONG NATURAL GAS UTILITY PROVIDERS SERVICE TO BUSINESS CUSTOMERS. THEY GOT TOP RATINGS FROM BUSINESS EXECUTIVES ON COMPANY IMAGE, BILLING AND PAYMENT, COMMUNICATIONS, PRICE AND VALUE, CUSTOMER SERVICE AND FIELD SERVICE. WE ARE VERY PLEASED TO JOIN AND -- IN CONGRATULATING ONE OF OUR LOCAL COMPANIES FOR BEING NATIONALLY RECOGNIZED. TEXAS GAS SERVICE'S DEDICATION TO CUSTOMER SERVICE IS INDEED

COMMENDABLE. IT IS PRESENTED WITH OUR
CONGRATULATIONS ON THIS OUTSTANDING
ACCOMPLISHMENT THIS 20th DAY OF APRIL, 2006, SIGNED BY
ME, MAYOR WYNN, ALSO ACKNOWLEDGED BY THE FULL
AUSTIN CITY COUNCIL, THE CERTIFICATE OF
CONGRATULATIONS TO TEXAS GAS SERVICE. [APPLAUSE]

CONGRATULATIONS.

THANK YOU APPRECIATE IT.

SAY A FEW WORDS?

WELL, CERTAINLY I WANT TO THANK YOU, MAYOR, FOR THIS
AWARD FROM THE CITY AND WE ARE HUMBLER BY THIS. AND
I WOULD ALSO SAY THAT WE VIEW OUR SERVICE TO THIS
COMMUNITY AS A PRIVILEGE, 200,000 CUSTOMERS THAT WE
SERVE HERE, IT'S ALWAYS NICE TO HAVE A SCORE CARD TO
SEE HOW YOU ARE DOING. THAT DOESN'T MEAN WE ARE
GOING TO REST ON OUR LAUREL, HOWEVER, WE ARE GOING
TO CONTINUE TO TRY TO IMPROVE SERVICE BETTER.
APPRECIATE VERY MUCH ONCE AGAIN, THANK YOU, AND ON
BEHALF OF ALL OF THE TEXAS GAS SERVICE EMPLOYEES IN
THE AUSTIN AREA AND THE STATE OF TEXAS, WE
APPRECIATE THIS VERY MUCH. [APPLAUSE] [ONE MOMENT
PLEASE FOR CHANGE IN CAPTIONERS]

Mayor Wynn: OKAY. FOR OUR FINAL PRESENTATION, THIS IS
ACTUALLY ANOTHER AWARD THAT IS RECEIVED BY US, THE
CITY OF AUSTIN. THIS IS FROM THE NATIONAL
ORGANIZATION ON DISABILITY ACCESSIBLE AMERICA
AWARD. I'M JOINED BY DOLORES GONZALES AND RON
LUCEY. DOLORES IS A STAFF PERSON WHO COORDINATES
OUR EFFORTS ON THE MAYOR'S COMMITTEE FOR PEOPLE
WITH DISABILITIES. RON LUCEY CHAIRS THAT GREAT
COMMITTEE. IT'S NOW 26 YEARS YOUNG AND IT HAS MADE
SOME REMARKABLE PROGRESS HERE IN THIS TOWN. SO
WITH THAT I'D LIKE TO TURN THE MICROPHONE OVER TO
NANCY STARNES WHO WILL PRESENT US WITH THE AWARD.
NANCY?

THANK YOU VERY MUCH, MAYOR. IT'S WONDERFUL TO SEE
THE PEOPLE GATHERED HERE TO CELEBRATE WHAT YOU'VE

DONE WITH THIS COMMUNICATE AND HOW YOU'VE BROUGHT IT FROM JUST BEING A GOOD CITY BEYOND BEING A GREAT CITY AND NOW YOU'RE A MODEL CITY FOR THE REST OF THE COUNTRY. I THINK THAT BEING FROM THE NATIONAL ORGANIZATION ON DISABILITY AND UNDERSTANDING WHAT'S HAPPENING ACROSS THE COUNTRY, I DON'T KNOW IF YOU ALL APPRECIATE WHAT A GREAT DAY THIS IS TO BE ABLE TO SAY I AM A CITIZEN OF THE CITY OF AUSTIN. YOU HAVE A DONE A GREAT JOB OF RECOGNIZING THE CULTURAL VITALITY THAT PEOPLE WITH DISABILITIES BRING TO YOUR COMMUNITY. I JUST CAME BACK FROM ITALY FROM THE PARAOLYMPIC GAMES REPRESENTING PRESIDENT BUSH AS THE FRENCH DELEGATION THERE AND THEY ARE JUST NOW BEGINNING TO UNDERSTAND WHY IT'S IMPORTANT TO CREATE ACCESS AND HOW IT RELATES TO THE ECONOMICS OF AN AREA. WELL, MY GOODNESS, FOR MANY, MANY YEARS YOU AND YOUR ELECTED LEADERSHIP HAVE DEMONSTRATED YOU GET IT. YOU CAN'T IMAGINE HOW WONDERFUL IT IS TO COME INTO A CITY LIKE THIS WHERE YOU'VE GOT A STRONG ELECTED LEADERSHIP AND YOU'VE GOT VERY STRONG ADVOCATES. AND BETWEEN THE TWO OF YOU YOU ALL HAVE MOVED THIS CITY'S AGENDA INTO NATIONAL SPOTLIGHT AND IT'S MUCH DESERVED. I'M SO HAPPY FOR YOU ALL AND WHAT YOU'VE DONE. AND IT'S MY PLEASURE TODAY ON BEHALF OF THE NATIONAL ORGANIZATION ON DISABILITY, OUR PRESIDENT, CHAIRMAN OF OUR BOARD, GOVERNOR TOM RIDGE, FORMER SECRETARY OF HOMELAND SECURITY, AND OUR PRESIDENT, THE HONORABLE MICHAEL DELAND, TO PRESENT A CHECK FOR \$10,000 TO THE CITY, TO THE MAYOR. OUR SPONSOR IS WAL-MART. AND WE APPRECIATE THE RELATIONSHIP THAT WE HAVE WITH THEM. THIS IS YOUR -- ONE OF YOUR AWARDS TO ADD TO THE TROPHIES UPSTAIRS THAT I SAW, AND LET ME HAND THIS BACK TO YOU, MAYOR. YOU'RE NOT GOING TO BE ABLE TO SHAKE HANDS WITH THAT. THIS IS ALSO A CERTIFICATE THAT WE HOPE YOU WILL ADD TO THE GROWING NUMBER OF ACCOLADES THAT THIS CITY AND ITS PEOPLE BEGIN TO AMASS. IT DOESN'T HAPPEN JUST WITH THE ELECTED LEADERSHIP AND IT DOESN'T HAPPEN JUST WITH THE PEOPLE, IT HAPPENS WHEN YOU WORK TOGETHER. CONGRATULATIONS TO ALL OF YOU FOR DOING

A PHENOMENAL OUTSTANDING JOB. [APPLAUSE]

I JUST WANT TO SAY A FEW WORDS. RON LUCEY, THE CHAIRMAN OF THE MAYOR'S COMMITTEE, AND MYSELF SUBMITTED FOR THIS COMPETITION BECAUSE WE'RE VERY PROUD OF THE EFFORTS THAT HAVE BEEN MADE TOWARDS ACCESSIBILITY WITH REGARDS TO THE COMMUNITY, THE ENTIRE COMMUNITY OF AUSTIN. NOW, IT IS NOT A SECRET THAT I HAVE GREAT PASSION FOR MY WORK, BUT ANY ACCOMPLISHMENTS THAT HAVE BEEN ACHIEVED THUS FAR HAVE BEEN THE RESULT OF MANY, MANY PEOPLE INVOLVED. AND I COULDN'T POSSIBLY NAME EVERYBODY. SO I'M GOING TO THANK A COUPLE OF GROUPS RIGHT NOW. TWO GROUPS THAT INTRICATELY HAVE WORKED WITH ME, AND THAT HAVE MADE THIS POSSIBLE, I THINK, AND THAT IS THE ENTIRE CITY STAFF THAT HAVE WORKED WITH ME FROM EVERY LEVEL, ALL DEPARTMENTS THROUGHOUT THE YEARS, THROUGH 15-PLUS YEARS THAT HAVE WORKED WITH ME WITH THEIR DEDICATION AND COMMITMENT, HERE WE ARE. THE OTHER GROUP THAT I WANT TO THANK IS THE CITIZENS WITH DISABILITIES THAT HAVE WORKED ALONGSIDE CITY STAFF THAT HAVE HELPED US, THAT HAVE CONSULTED WITH US, THAT HAVE PUT UP THEIR HOURS, AND WE VERY MUCH APPRECIATE IT. AND FINALLY I JUST WANT TO SAY THAT WE DON'T CONSIDER THIS TO BE A CULMINATION OF EFFORTS, WE CONSIDER THIS TO BE STRIVING -- A CHALLENGE TO STRIVE FOR MORE, FOR BEING THE MOST ACCESSIBLE CITY IN THE COUNTRY. AND WITH THAT I'M GOING TO PASS IT OVER TO MY COMPADRE, MY COHORT AT ARMS, RON LUCEY, AND HE'S GOING TO THANK A FEW MORE PEOPLE.

I'M GOING TO HOLD THE GLASS BASEBALL WHILE I SAY THAT. [LAUGHTER] THERE'S JUST A TREMENDOUS AMOUNT OF HOMETOWN PRIDE IN RECEIVING THIS AWARD FOR THE CITY OF AUSTIN, BUT ALSO FOR THE WHOLE COMMUNITY. IT'S A TREMENDOUS HONOR FOR ME TO BE HERE REPRESENTING CITIZENS WITH DISABILITIES WHO WORK IN PARTNERSHIP WITH CITY STAFF AND WITH OUR CITY LEADERSHIP. THIS IS REALLY A UNIQUE COMMUNITY IN THAT WE HAVE HAD GREAT, REALLY OUTSTANDING CITY LEADERSHIP WITH THE CURRENT MAYOR AND OUR PAST MAYORS AND OUTSTANDING SUPPORT OF CITY COUNCIL AND A GREAT CITY MANAGER, ALL WHO WORK TOGETHER THROUGH OUR

DEPARTMENTS TO MAKE SURE THAT AUSTIN'S CITIZENS CAN
DISABILITIES ARE FULLY INCLUDED IN ALL ASPECTS OF OUR
COMMUNITY. BUT IT'S NOT ENOUGH JUST TO HAVE OUR CITY
STAFF AND OUR CITY LEADERSHIP WORKOGTHIS, IT'S
REALLY TAKING THE INVOLVEMENT OF CITIZENS WORKING IN
PARTNERSHIP. I'M VERY PROUD TO SEE OUR PARTNERS
FROM ADAPT HERE TONIGHT. ONE OF THE MOST EFFECTIVE
ADVOCACY ORGANIZATIONS IN THIS COMMUNITY, IF NOT
THE NATION. [APPLAUSE] I'M VERY PROUD TO HAVE AUSTIN
BE HOME TO THE LARGEST WHITE CANE DAY CELEBRATION
AND HAVE THE MOST ACTIVE BLIND COMMUNITY IN THE
NATION, REALLY OWNING THE STREETS ON OCTOBER 15TH
EVERY YEAR, AND EDUCATING ALL OF AUSTIN ON WHAT IT'S
LIKE TO BE FULLY INCLUDED AND PARTICIPATE IN YOUR
COMMUNITY. I'M ALSO VERY PROUD TO HAVE AN
OUTSTANDING GROUP OF INTERLOCAL PARTNERS. TRAVIS
COUNTY HAS BEEN A GREAT PARTNER IN MAKING AUSTIN A
NATIONAL LEADER FOR ACCESSIBILITY. WE'RE PROUD TO
HAVE THE BEST ACCESSIBLE VOTING MACHINE IN THE
NATION, THE BEST VOTING SYSTEM THAT ALLOWS ANY
VOTER WITH A DISABILITY TO INDEPENDENTLY CAST A
SECRET BALLOT. I'M ALSO PROUD TO RECOGNIZE ONE OF
OUR PARTNERS, CAPITAL METRO, WHO EARLY ON EVEN
BEFORE THE PASSAGE OF THE A.D.A., MOVED US IN A
DIRECTION OF CULLY ACCESSIBLE TRANSPORTATION AND
WE HAVE 100% ACCESSIBLE BUS FLEET NOW. AND
REMEMBER, YOU CAN'T PARTICIPATE IN THE COMMUNITY IF
YOU CAN'T GET TO WHERE YOU WANT TO GO, AND CAPITAL
METRO CERTAINLY HELPS US DO THAT. I'M ALSO PROUD TO
HAVE THE AUSTIN INDEPENDENT SCHOOL DISTRICT
WORKING VERY HARD TO HELP PREPARE YOUTH WITH
DISABILITIES FOR A PRODUCTIVE FUTURE IN OUR
COMMUNITY. MOST OF ALL I'M JUST PROUD TO CALL AUSTIN
MY HOME. AND THIS MEANS A LOT. SO THANK YOU VERY
MUCH FOR ALL OF OUR PARTNERS. OUR NONPROFIT
PARTNERS, GOODWILL, DISABILITY ASSISTANCE, TO ALL OF
YOU FOR ALL THE WORK THAT YOU DO. I WANT YOU TO
ACCEPT THIS AS A CHALLENGE TO NOT JUST REST ON OUR
ACCOMPLISHMENTS, BUT REAFFIRM OUR COMMITMENT TO
CONTINUE TO GO HAVE AUSTIN BE A LEADER IN
ACCESSIBILITY. THANK YOU FOR ALL YOUR HARD WORK. [

APPLAUSE]

Mayor Wynn: THE CITY COUNCIL MEETING WILL RECONVENE AFTER A VERY SHORT BREAK. THANK YOU.

Mayor Wynn: THERE BEING A QUORUM PRESENT, AT THIS TIME I'LL CALL BACK TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. BEFORE WE TAKE UP SOME OF OUR QUICK ZONING DISCUSSIONS, WE NOTED EARLIER THAT WE - - STAFF IS REPRESENTING THAT WE POSTPONE PUBLIC HEARING NUMBER 82 REGARDING OVERLAYS AND MIXED USE COMBINING DISTRICTS TO MAY 18th, 2006. I'LL ENTERTAIN THAT MOTION. MOTION MADE BY COUNCILMEMBER LEFFINGWELL THAT I'LL SECOND TO POSTPONE IT TO MAY 18th, 2006. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF FOUR TO ZERO WITH THE MAYOR PRO TEM, COUNCILMEMBERS MCCracken AND ALVAREZ OFF THE DAIS.

AND MAYOR, LET ME NOTE THAT WE WILL BE TAKING ITEM NUMBER 82 BEFORE THE ZONING AND PLATTING COMMISSION TO LET THEM REVIEW IT. THEY'RE NOT ONE OF THE -- THEY'RE NOT THE PLANNING COMMISSION THAT MAKES THE FORMAL REVIEW OF ORDINANCES, BUT IT'S AFTER STAFF'S UNDERSTANDING THAT THEY WANT TO REVIEW THE ORDINANCE AND COUNCIL WOULD LIKE THE BENEFITS OF THOSE COMMENTS.

Mayor Wynn: THANK YOU. COUNCIL, I GUESS MR. GUERNSEY WE HAD A COUPLE OF POSTPONEMENT DISCUSSIONS PERHAPS. DO YOU WANT TO WALK US THROUGH THOSE?

THAT'S CORRECT. MAYOR, COUNCIL, ITEM NUMBER 73, CASE C-14-05-0085, THE POWERS 20 PROPERTY LOCATED AT 11520 NORTH I-35 SERVICE ROAD. THIS IS A REZONING REQUEST FROM GENERAL OFFICE TO -- WHICH IS GO DISTRICT ZONING TO COMMUNITY COMMERCIAL CONDITIONAL OVERLAY OR GR-CO ZONING. THE APPLICANT HAS REQUESTED A

POSTPONEMENT TO JULY 27TH. THE NEIGHBORHOOD REPRESENTATIVE INDICATES THAT THE NEIGHBORHOOD IS ACTUALLY OPPOSED TO A POSTPONEMENT FOR THAT LENGTH OF TIME. YOU HAVE LETTERS ON THE DAIS OR IN YOUR BACKUP THAT SPEAK TO THE POSTPONEMENT AND THE APPLICANT'S CONCERNS. I KNOW BOTH THE APPLICANT AND THE NEIGHBORHOOD REPRESENTATIVE ARE STILL HERE.

Mayor Wynn: THEY WAITED US OUT?

AND THIS IS ONLY READY FOR SECOND READING ONLY FOR TODAY.

Mayor Wynn: SO WE'VE HEARD THAT THE APPLICANT IS REQUESTING A POSTPONEMENT. JUST BECAUSE OF THE COUNCIL CALENDAR, WHICH GOES ALL THE WAY TO JULY 27TH, PERHAPS IF WE COULD HEAR FROM THE NEIGHBORHOOD REPRESENTATIVE OR SOME FOLKS WHO ARE IN OPPOSITION OF THAT LENGTHY POSTPONEMENT.

THERE'S A MR. TOBIAS HERE THAT CAN SPEAK TO THAT, I THINK.

Mayor Wynn: WELCOME, LANE. MR. GUERNSEY, REMIND ME, THE APPLICANT HAS ALREADY BEEN GRANTED AN EARLIER REQUEST TO POSTPONE?

YES, SIR, THERE'S AN EARLIER POSTPONEMENT WITH FIRST READING.

Mayor Wynn: WELCOME, WAYNE.

MAYOR WYNN, COUNCILMEMBERS, I JUST HAD A NOTIFICATION, THERE'S A REASON -- I WOULD AGREE WITH THE POSTPONEMENT AT THIS TIME. SORRY FOR THE DELAY.

Mayor Wynn: SO THE NEIGHBORHOOD IS OKAY WITH THE JULY 27TH?

WE'RE GOING TO AGREE WITH THE POSTPONEMENT UNTIL JULY 27TH.

Mayor Wynn: THANK YOU. SO COUNCIL, I'LL ENTERTAIN A MOTION ON ITEM NUMBER 73, POSTPONING IT TO JULY 27TH, 2006.

Thomas: MOVE FOR APPROVAL, MAYOR.

Mayor Wynn: SECONDED BY COUNCILMEMBER DUNKERLEY TO POSTPONE ITEM NUMBER 73 TO JULY 27TH. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSE MOTION PASS OZ A VOTE OF SIX TO ZERO WITH COUNCILMEMBER MCCracken OFF THE DAIS.

THANK YOU, MAYOR. MAYOR AND COUNCIL, LET ME PROCEED TO ANOTHER POSTPONEMENT REQUEST. STAFF HAS BEEN JUST INFORMED THAT ITEM NUMBER 78, CASE C-14-06-0012505 DEEP EDDY, A REZONING REQUEST FROM FAMILY RESIDENCE OR SF-3 DISTRICT ZONING FOR NEIGHBORHOOD OFFICE OR N.O. DISTRICT ZONING. THE ZONING AND PLATTING COMMISSION RECOMMENDED DENIAL OF THIS. THE APPLICANT'S AGENT, MS. LUCEY GALAHAN, HAS REQUESTED A POSTPONEMENT OF THIS TO JULY WILL 27TH. THIS WOULD BE THE APPLICANT'S FIRST REQUEST.

Mayor Wynn: IS THERE AN INDICATION THAT PERHAPS THE NEIGHBORS ARE --

THE NEIGHBORS, IT'S MY UNDERSTANDING, ARE OPPOSED TO THE POSTPONEMENT REQUEST. AND I BELIEVE YOU HAVE APPROXIMATELY 30 PEOPLE THAT WISH TO SPEAK ON THE ITEM, AND MAYBE AS MANY -- OVER 60 THAT THEY WERE DONATING TIME OR MAKING CHENTS IN FAVOR OR OPPOSITION.

Mayor Wynn: TECHNICALLY THERE ARE 82 CITIZENS WHO HAVE GIVEN US COMMENTS, 15 IN OPPOSITION, 67 IN FAVOR. 30 FOLKS WANTING TO SPEAK, AND THE SPEAKERS ARE SPLIT ABOUT HALF AND HALF. BLAKE IS HERE REPRESENTING THE NEIGHBORHOOD. BLAKE, YOU ARE AWARE THAT THE GENERAL TRADITION OR PRACTICE HAS

BEEN TO GRANT POSTPONEMENT REQUEST ON A FIRST REQUEST, BUT I'D LIKE TO GET YOUR THOUGHTS ON THAT.

MR. MAYOR, MAYOR PRO TEM, COUNCILMEMBERS, MY NAME IS BLACK TOWELETTE, REPRESENTING THE WEST AUSTIN NEIGHBORHOOD GROUP. WE'RE QUESTIONING THE TIMELINESS OF THIS. WE'RE HERE. WE HAVE -- I DON'T KNOW WHY -- IF THEY HAVE SOME REASON, I WOULD LIKE TO HEAR IT THAT THEY'RE REQUESTING POSTPONEMENT. I DON'T THINK THERE'S ANYTHING THAT CAN BE WORKED OUT. THE NEIGHBORS ARE VERY ADAMANT THAT THEY DON'T WANT TO SEE ANYTHING BUT SF-3 ON THIS PROPERTY. AND IF YOU DO GRANT A POSTPONEMENT, I DON'T WANT TO SEE ANYTHING LIKE THAT. LET'S POSTPONE IT A WEEK. IF THEY HAVE A PROBLEM BEING HERE TODAY, LET'S POSTPONE IT A WEEK. WE'RE READY TO COME BACK, WE'RE READY TO GO. I DON'T KNOW WHAT ELSE REALLY TO SAY. IT TOOK US BY SURPRISE. WE'VE BEEN SITTING HERE, WE'VE BEEN AVAILABLE. WE'RE HERE. THANK YOU VERY MUCH.

Mayor Wynn: UNDERSTOOD. THANK YOU FOR BEING HERE AND FOR YOUR PATIENCE, BLAKE. WELL, PERHAPS IF WE COULD HEAR FROM I GUESS MS. GALAHAN IS OUR AGENT?

GOOD EVENING, MAYOR AND COUNCIL, LUCEY GALAHAN REPRESENTING THE OWNERS ON THIS CASE. WE ARE REQUESTING A POSTPONEMENT UNTIL JULY 27TH. WE JUST NEED TO DO SOME MORE WORK WITH THE NEIGHBORHOOD. WE KNOW THAT THEY ARE IN OPPOSITION, BUT WE'VE TALKED TO SOME INDIVIDUAL NEIGHBORS AND WE'VE ACTUALLY GOTTEN SOME PEOPLE TO CHANGE THEIR VIEWPOINT, AND ARE NOW SHOWING SUPPORT FOR OUR CASE. AND WE JUST NEED SOME MORE TIME TO DO SOME MORE WORK WORK. ALONG THAT LINE, WE HAVE SOME MORE PEOPLE WE WOULD LIKE TO BRING IN TO TALK TO YOU ABOUT OUR CASE.

Mayor Wynn: UNDERSTOOD. I WILL SAY THAT THREE MONTHS IS A LONG POSTPONEMENT. IT SEEMS TO ME IT'S A WEEK TO THREE IS THE MOST COMMON PRACTICE. AGAIN, OUR PRACTICE HAS BEEN TO VIRTUALLY ALWAYS GRANT THE FIRST REQUEST TO POSTPONE ON EITHER SIDE, AND WE GENERALLY ARE VERY RESPECTFUL OF ANYBODY,

PARTICULARLY AN APPLICANT WHO WANTS TO WORK WITH NEIGHBORS IN OPPOSITION TO SEE IF THERE'S COMPROMISE AND DIFFERENT ADJUST ADJUSTMENTS AND COMPATIBILITY ISSUES THAT MIGHT REDUCE SOME OF THE CONTENTIOUS NATURE. I DON'T KNOW THAT I'M COMFORTABLE WITH THAT LENGTHY A POSTPONEMENT, BUT I'D WELCOME OTHER COMMENTS FROM COUNCIL.

Thomas: MAYOR, IF YOU DON'T MIND.

Mayor Wynn: MAYOR PRO TEM.

Thomas: YOU SAID UNTIL JULY THE WHAT, NOW?

JULY 27TH. THERE IS A BREAK BETWEEN JUNE 22nd AND JULY 27TH, SO THAT'S PART OF THE DELAY IS THAT THE COUNCIL WILL BE ON RECESS FOR SEVERAL WEEKS.

Thomas: AND MAYBE YOU NEED THAT MUCH TIME. WHAT'S THE SECOND -- WHAT'S YOUR PLAN B IF YOU CAN'T GET THAT LONG? WHAT OTHER TIME WOULD YOU NEED?

JUNE 22nd WOULD BE OUR ALTERNATE REQUEST.

Thomas: JUNE 22nd JUNE 22nd?

YES, SIR.

Thomas: I KNOW IN THE PAST WE DO HONOR THE POSTPONEMENTS, AND THAT IS THE FIRST ONE THAT YOU ASKED FOR IS A LITTLE LENGTHY, BUT IT'S UP TO THE REST OF COUNCIL. I WOULDN'T HAVE -- I DON'T HAVE A PROBLEM WITH POSTPONEMENTS, BUT I HOPE THAT IT'S PRODUCTIVE, Y'ALL GET TOGETHER, THE NEIGHBORS AND THE APPLICANT AND THE OWNERS AND FIGURE OUT. BECAUSE I DID DO SOME BACKGROUND INFORMATION ON THIS CASE, AND I THINK IT'S LEGITIMATE THAT YOU NEED THE POSTPONEMENT BECAUSE THERE ARE SOME CONCERNS THEY'VE BROUGHT THAT CONCERN ME, BECAUSE THE OWNER THAT OWNS IT BOUGHT IT FROM SOMEONE ELSE, SO I THINK THERE ARE SOME CONCERNS THAT WE NEED TO WORK THROUGH, BUT I THINK WE NEED TO BE VERY

PRODUCTIVE WITH THE NEIGHBORS BECAUSE --

YES, SIR. THAT'S WHAT WE WANT TO DO.

Thomas: ALL RIGHT.

WE WANT TO TRY AND MAKE THIS EASY FOR YOU GUYS.
THIS IS A VERY DIFFICULT CASE FOR YOU TO CONSIDER.

Mayor Wynn: WE UNDERSTAND AND APPRECIATE THAT.
COUNCILMEMBER LEFFINGWELL.

Leffingwell: I THINK OBVIOUSLY I'M GOING TO RESPECT THE
FIRST REQUEST FOR A POSTPONEMENT, BUT I AGREE WITH
YOU, THIS IS A THREE-MONTH POSTPONEMENT REQUEST,
WHICH SEEMS A LITTLE LONG. I DON'T HAVE A CALENDAR IN
FRONT OF ME, BUT IS THERE SOME DATE IN LATE MAY THAT
WE COULD POSTPONE TO AND PERHAPS AT THAT TIME IF
THERE ARE STILL UNRESOLVED ISSUES, WE COULD EXTEND
THAT. BUT I'M A LITTLE BIT UNCOMFORTABLE WITH A THREE
MONTH POSTPONEMENT.

Mayor Wynn: WELL, THE ANSWER IS THERE ARE PLENTY OF
MEETINGS IN MAY AND JUNE. WE MEET FIVE OF THE EIGHT
WEEKS BETWEEN NOW AND JUNE 22nd, SO THIS COULD BE
TAKEN UP IN A REASONABLE PERIOD. AND OF COURSE, I'LL
ALSO POINT OUT THAT COUNCIL COULD ALSO CONTINUE A
POSTPONEMENT. WE COULD SET A DATE FOR SOME
REASONABLE AMOUNT OF TIME, FRANKLY EVEN INSPIRE THE
APPLICANT, OWNER TO GET ACTIVE IF THRFK THERE'S A
POTENTIAL PIECE OF COMPROMISE. AND THEN IF THERE'S
STILL PROGRESS BEING MADE, WE AS A COUNCIL COULD
ALWAYS POSTPONE FOR ANOTHER SERIES AFTER FEW
WEEKS. MR. TOLETTE?

I'D LIKE TO POINT OUT TO THE COUNCIL THAT THE BUILDING
PERMIT ON THIS HAS BEEN RESCINDED. WORK IS GOING ON
CONTINUOUSLY ON THE PROPERTY. THEY'RE GOING TO
HAVE TO COME TO YOU AS A COUNCIL AND TRY TO GET A
BUILDING PERMIT UNDER THE INTERIM DEVELOPMENT
REGULATIONS. ALSO, THERE HAS BEEN VARIANCE REQUEST
TO THE BOARD OF ADJUSTMENT ON THIS PROPERTY. IT'S
REALLY UNFAIR. I DON'T KNOW IF THEY'RE TRYING TO PUSH

IT SO A NEW COUNCIL WILL COME IN AND HEAR THIS. WE WANT THIS RESOLVED. THIS HAS BEEN -- THIS HAS BEEN A MESS IN OUR NEIGHBORHOOD FOR SEVERAL MONTHS NOW. EVERYDAY THAT GOES BY GOES IN THEIR FAVOR. THEY HAVE ATTEMPTED TO BREAK OUR PETITION. THEY HAVE NOT GOT ONE SIGNATURE TO CHANGE ON IT. I JUST -- I WOULD REALLY APPRECIATE IT IF WE COULD DO THIS AS QUICKLY AS POSSIBLE. I DON'T THINK THE NEIGHBORS -- A LOT OF THE SIGNERS ARE HERE. I DON'T SEE ANY KIND OF COMPROMISE BEING REACHED ON THIS. NOBODY WANTS COMMERCIAL, NOBODY WANTS A CONDITIONAL USE PERMIT ON THIS. EVERYBODY WANTS IT TO REMAIN SF-3. WE KNOW WHAT WILL HAPPEN. WE KNOW THIS WILL BE A STEALTH NORMAL, WE KNOW THE FACTS, WE'RE READY TO GO FORWARD NOW. LET'S GO FORWARD NEXT WEEK. IF THEY WANT TO MEET WITH US, WE'LL MEET WITH THEM, BUT LET'S DO IT AT A VERY RAPID PACE. EVERYDAY THIS BUILDING GETS CLOSER TO COMPLETION, YOU'RE GOING TO HEAR IT -- THEY'RE BUYING TIME. AND I UNDERSTAND THAT TACTIC, BUT IT'S UNFORTUNATE IT'S ON OUR BACKS AND -- I DON'T KNOW. IT'S VERY DISAPPOINTING THAT WE CAN'T HEAR IT TODAY.

Mayor Wynn: UNDERSTOOD, BLAKE. FURTHER COMMENTS ON THE POSTPONEMENT REQUEST? MAYOR PRO TEM.

Thomas: I STILL SAY TO THE CIRCUMSTANCES OF THIS CASE, THE LENGTH OF TIME -- BECAUSE SHE AGREED TO JUNE 22nd, SO I THINK -- I WOULD MAKE A MOTION TO POSTPONE IT TO JUNE 22nd.

Mayor Wynn: MOTION MADE BY THE MAYOR PRO TEM TO POSTPONE CASE 78 TO JUNE 22nd, 2006. I'LL SECOND THAT FOR DISCUSSION. I TOO HAVE BEEN SUPPORTIVE AND DON'T KNOW THAT I'VE NEVER NOT SUPPORTED A FIRST TIME REQUEST, AND I ESPECIALLY EMPATHIZE AND KNOW THE FRUSTRATION OF COMING DOWN AND SITTING HERE FOR A COUPLE OF HOURS AND THEN HAVING TO GO HOME EMPTY HANDED. SO I'M SUPPORTIVE OF THE POSTPONEMENT REQUEST. I'D CERTAINLY BE PREPARED TO ENTERTAIN A FRIENDLY AMENDMENT TO SHORTEN THAT TIME. COUNCILMEMBER LEFFINGWELL?

Leffingwell: I'LL MAKE A SUBSTITUTE MOTION TO POSTPONE UNTIL MAY 8TH. IS THAT A COUNCIL MEETING DATE?

NO, IT'S NOT.

Mayor Wynn: MAY 4TH OR 18th.

Thomas: OR 18th OR 25TH.

Mayor Wynn: SO MAY 4TH IS TWO WEEKS.

Leffingwell: I'D MAKE A SUBSTITUTE MOTION TO CHANGE TO MAY 4TH.

Mayor Wynn: LET'S SEE IF THE MAKER WILL CONSIDER THAT.

Thomas: NO.

Mayor Wynn: WE HAVE A SUBSTITUTE MOTION TO POSTPONE THE CASE TO MAY 4TH, 2006. LET'S SEE IF I CAN GET A SECOND ON THAT SUBSTITUTE MOTION. COUNCILMEMBER ALVAREZ. MR. GUERNSEY?

STAFF JUST WANTED TO NOTE THAT WE UNDERSTAND THAT THERE MAY BE AN EVENT BEING HELD ON THAT PARTICULAR EVENING, AND GIVEN THE NUMBER OF SPEAKERS, I JUST WANT TO POINT THAT OUT FOR THE COUNCIL --

Mayor Wynn: THAT'S THE WCIT EVENT.

Thomas: THAT'S WHY IT WOULD BE GOOD IN JUNE.

Mayor Wynn: COUNCILMEMBER LEFFINGWELL, DO YOU WANT TO AMEND YOUR SUBSTITUTE MOTION PERHAPS?

Leffingwell: MAYOR, I'LL AMEND IT TO MAY 18th?

Mayor Wynn: AND COUNCILMEMBER ALVAREZ, IS THAT A --

Alvarez: SURE.

Mayor Wynn: SO WE HAVE AN AMENDED SUBSTITUTE MOTION ON THE TABLE BY COUNCILMEMBER LEFFINGWELL,

SECONDED BY COUNCILMEMBER ALVAREZ TO POSTPONE
ITEM 78 TO MAY 18th, 2006. COUNCILMEMBER KIM?

Kim: MAYOR, I WON'T BE HERE THE EVENING OF MAY 18th. I
HAVE A COMMITMENT IN HOUSTON FOR A CONFERENCE.
AND THERE'S A VALID PETITION. I JUST WANTED TO INFORM
YOU OF THAT. AND ALSO TONIGHT WE HAVE
COUNCILMEMBER MCCracken MISSING. WE DO HAVE A
VALID PETITION, SO IT WOULD BE APPROPRIATE TO POST
TONE POSTPONE TONIGHT, JUST FOR THE RECORD.

Alvarez: I STILL DON'T UNDERSTAND WHAT WCIT, HOW IT
AFFECTS OUR COUNCIL MEETING?

Mayor Wynn: I THINK YOU'RE RIGHT. MAYOR PRO TEM.

Thomas: WHAT ABOUT MAY 25TH?

MAY 25TH WOULD BE GREAT.

Thomas: THEN I NEED TO WITHDRAW MY MOTION.

Mayor Wynn: SO COUNCIL -- COUNCILMEMBER LEFFINGWELL,
I THINK THERE MAYBE SOME INTEREST IN GOING BACK TO
YOUR ORIGINAL SUBSTITUTE MOTION, UNTIL THE MAYOR
PRO TEM IS STILL SUGGESTING A SLIGHTLY LENGTHIER
DELAY.

Leffingwell: WELL, LET ME ASK YOU FIRST WHAT EFFECT THE
WCIT IS GOING TO HAVE ON OUR COUNCIL MEETING?

Mayor Wynn: I SUSPECT THAT, YOU KNOW, SOME SENIOR
STAFF -- ALL OF US AND SENIOR STAFF ARE INVITED TO
EVENTS THROUGHOUT THE COURSE OF THAT WEEK. I'M
SURE THERE'S AN EVENT THAT EVENING, BUT IT WOULD BE --
SPEAKING FOR MYSELF, IT WOULD BE MANAGEABLE FOR ME
TO MAKE SURE I'M HERE IF NEEDED FOR AN IMPORTANT
VOTE.

Leffingwell: YOU SAID YOU WOULD MAKE SURE YOU WERE
HERE FOR AN IMPORTANT VOTE?

Mayor Wynn: THIS TAKES PRECEDENCE FOR ME.

Leffingwell: SO RIGHT NOW THE MOTION IS MAY 18th? MAYOR
MA MAYOR RIGHT NOW THE MOTION IS MAY 18th MAY 18th.
COUNCILMEMBER KIM HAS INDICATED THAT
UNFORTUNATELY SHE WON'T BE ON THE DAIS THAT
EVENING, WILL BE OUT OF TOWN.

Alvarez: MAYOR, I GUESS I WOULD SAY THAT CHANCES ARE
WE MIGHT JUST DO ONE READING ANYWAY, SO WE DON'T
NECESSARILY NEED THE FULL COUNCIL UNLESS WE'RE
PLANNING TO DO THREE FULL READINGS. SO I'LL STICK BY
MAY 18th, I GUESS.

Leffingwell: THERE'S MY SECOND. SO CAN I GO BACK AND
AMEND IT TO MAY FOURTH?

Mayor Wynn: SORRY, I WANT TO MAKE SURE.
COUNCILMEMBER ALVAREZ, YOU'RE STILL SUGGESTING THE
18th? AND I APPRECIATE YOUR POINT. IT'S VERY LIKELY THAT
PERHAPS EVEN IF THE CASE IS HEARD AND THE PUBLIC
HEARING IS CLOSED AND A VOTE IS TAKEN, QUITE
FREQUENTLY IF IT WAS TO BE -- IF THERE WAS TO BE SOME
SUPPORT FOR THE CASE, IT LIKELY WOULD BE ON FIRST
READING ONLY. >>

Leffingwell: MAY 4TH IS WCIT. MAY 18th COUNCILMEMBER KIM
IS NOT HERE. AND COUNCILMEMBER ALVAREZ SUGGESTED
MAY 18th, AND THAT IS THE CURRENT SUBSTITUTE MOTION.
AND SO MAY 18th IS WHAT WE'LL GO WITH.

Mayor Wynn: WE HAVE AN AMENDED SUBSTITUTE MOTION ON
THE TABLE TO POSTPONE ITEM 78 TO MAY 18th, 2006.
FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR
PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED?

Thomas: NO.

Mayor Wynn: MOTION TO POSTPONE PASSES ON A VOTE OF

FIVE TO ONE WITH THE MAYOR PRO TEM VOTING NO AND COUNCILMEMBER MCCracken OFF THE DAIS. THANK YOU ALL.

THANK YOU.

MAYOR AND COUNCIL, THAT BRINGS US TO ITEM NUMBER 81. THIS IS CASE C-14-05-0171, THE GROVE AT SOUTH PARK MEADOWS. THE PROPERTY LOCATED AT 301 WEST SLAUGHTER LANE AND 9501 SOUTH FIRST STREET. THIS IS A REZONING REQUEST FROM RURAL RESIDENCE, LIMITED OFFICE CONDITIONAL OVERLAY, LO-CO ZONING, AND GENERAL COMMERCIAL SERVICES CONDITIONAL OVERLAY OR CS-CO ZONING TO COMMUNITY COMMERCIAL MIXED USE CONDITIONAL OVERLAY OR GR-MU-CO COMBINING DISTRICT ZONING FOR TRACTS ONE AND TWO. FOR TOWNHOUSE, CONDOMINIUM OR SF-6 ZONING FOR TRACT 3 AND TOWNHOUSE, CONDOMINIUM RESIDENCE OR CONDITIONAL OVERLAY ZONE FOG TRACT 4 AND COMMUNITY COMMERCIAL CONDITIONAL OVERLAY OR GR-CO ZONING FOR TRACT FIVE. THE ZONING AND PLATTING COMMISSION RECOMMENDED THE REZONING REQUEST WITH SOME MODIFICATIONS, WHICH I WILL GO INTO. THE PROPERTY, AS I MENTIONED BEFORE, IS NEAR THE INTERSECTION OF SOUTH FIRST STREET AND WEST SLAUGHTER LANE ON THE SOUTH SIDE OF SLAUGHTER AND EAST OF SOUTH FIRST STREET. THE PROPERTY IS APPROXIMATELY 143 ACRES OF LAND, AND THE APPLICANT IS IN AGREEMENT WITH THE ZONING AND PLATTING COMMISSION'S RECOMMENDATION. THE ZONING AND PLATTING COMMISSION RECOMMENDATION THAT THE APPLICANT IS IN AGREEMENT WITH THAT STAFF HAS SOME CONCERNS ABOUT ADDRESS SOME OF THE RETAIL ZONING ALONG SLAUGHTER LANE ALONG THE SOUTH SIDE. THE STAFF RECOMMENDATION DIFFERS FROM THE COMMISSION'S RECOMMENDATION IN THAT STAFF RECOMMENDED LR ZONING FOR THESE TRACTS THAT ARE IMMEDIATELY ADJACENT TO SLAUGHTER LANE AND DID RECOMMEND GR-CO ZONING FOR THE TWO TRACTS THAT LEAD INTO THE SINGLE-FAMILY ZONED PORTION. AND THIS IS ALL OF TRACT 5. THE OTHER DIFFERENCE THAT THE STAFF RECOMMENDATION HAS DEALS WITH TURNING MOVEMENTS FROM SOME DRIVEWAYS THAT ARE ALONG SOUTH FIRST, AND IN PARTICULAR A DRIVEWAY THAT COMES OUT ON

SLAUGHTER LANE IN THE TURNING MOVEMENTS, AND THE COMMISSION RECOMMENDED THE FULL TURNING MOVEMENTS, ALL FOUR OF THEM, AND STAFF RECOMMENDED THREE. BASICALLY LIMITING OR PROHIBITING THE LEFT TURN MOVEMENT ON TO SLAUGHTER LANE. THE STAFF'S RECOMMENDATION FOR THE LR WAS TO PROHIBIT CERTAIN COMMERCIAL USES, MAINLY THOSE AUTO-RELATED USES THAT ARE ALONG SLAUGHTER LANE BECAUSE THEY BACK UP TO THE SINGLE-FAMILY ZONED PROPERTY TO THE YEAR THAT'S PROPOSED FOR DEVELOPMENT. IT'S ALSO OPPOSITE OF THE PARK RIDGE NEIGHBORHOOD, AND WE FELT THAT THIS WOULD BE A TRANSITION GOING DOWN BACK IN TOWARDS THE NEIGHBORHOOD. THE APPLICANT HAS PROVIDED A WALL AND SOME BUFFERING ALONG SLAUGHTER LANE AND A BUFFER WALL ALONG THE REAR OF THE PROPERTY, BUT GIVEN THE AMOUNT OF EXISTING GR ZONING THAT'S IN THE AREA, THREE OF THE FOUR CORNERS OF THE INTERSECTION OF SOUTH FIRST BEING ZONED GR-CO COMPRISING OVER 13 ACRES OF VACANT GR ZONING THAT COULD BE USED FOR THESE AUTO RELATED USES AND ANOTHER VACANT TRACT THAT'S A LITTLE BIT FURTHER TO THE EAST TOWARDS SOUTH CONGRESS, AND GIVEN THE LARGE AMOUNT OF GR ZONING THAT'S ALREADY AVAILABLE ON THE REMAINDER OF THIS TRACT WE FELT THAT THE LR ZONING WAS MORE APPROPRIATE, MORE COMPATIBLE WITH THE SINGLE-FAMILY. ALSO THE AREA THAT COMES IN OFF OF SLAUGHTER, THE MAIN DRIVEWAY THAT COMES INTO THE PROPERTY, STAFF ALSO RECOMMENDING THIS AREA G.O. ZONING FOR THE SAME REASONS TO ACT AS A TRANSITION INSTEAD OF RECOMMENDING G.R. ZONING THAT WOULD ALLOW FOR SOME OF THESE AUTO RELATED USES ABUTTING THE SINGLE-FAMILY. AT THIS TIME I THINK I'LL PAUSE AND I'LL LET GEORGE ZAPALAC COME FORWARD AND SPEAK TO THE QUESTIONS THAT DEAL WITH THE ACCESS. I BELIEVE GEORGE HAS AN EXHIBIT AS WELL.

GOOD EVENING, MAYOR AND COUNCIL. THE PROJECT AS PROPOSED WILL GENERATE APPROXIMATELY 23,000 VEHICLE TRIPS PER DAY, AND THE APPLICANT HAS AGREED TO PARTICIPATE IN A NUMBER OF OFF SITE TRANSPORTATION IMPROVEMENTS AS LISTED IN THE

BACKUP MATERIAL. AND STAFF HAS COME TO AGREEMENT ON ALMOST ALL THE ISSUES WITH ONE EXCEPTION, AND THAT IS THE ACCESS TO SLAUGHTER LANE. THE EXHIBIT BEFORE YOU HERE SHOWS THE FRONTAGE ALONG SLAUGHTER AND THE EXISTING AND PROPOSED SIGNALS ALONG SLAUGHTER. THERE IS AN EXISTING SIGNAL AT I-35 AND ANOTHER ONE ABOUT 500 FEET AWAY AT CONGRESS AVENUE. AND THEN ANOTHER ONE HAS BEEN APPROVED AT CULLEN LANE, WHICH IS A LITTLE OVER 700 FEET AWAY FROM THAT SIGNAL. THE OPTIMUM SPACING FOR TRAFFIC SIGNALS IS A QUARTER MILE OR ABOUT 1320 FEET AS A MINIMUM. AND THIS ALLOWS FOR PROPER PROGRESSION SO THAT THE SIGNALS CAN BE SYNCHRONIZED PROPERLY WITH EACH OTHER. ALSO, IF THE SIGNALS WERE SPACED TOO CLOSELY TOGETHER YOU ENCOUNTER SITUATIONS AS YOU DO SOMETIMES IN THE DOWNTOWN AREA WHERE CONGESTION AT ONE INTERSECTION BACKS UP AND CREATES GRIDLOCK AT THE NEXT INTERSECTION. SO IN ORDER TO OBTAIN PROPER PROGRESSION, THE PUBLIC WORKS DEPARTMENT DOES RECOMMEND A MINIMUM OF A QUARTER MILE. THE APPLICANT IS PROPOSING A DRIVEWAY AT AN EXISTING MEDIAN BREAK ABOUT 800 FEET WEST OF CULLEN LANE, AND STAFF IS RECOMMENDING THAT NO LEFT TURNS BE ALLOWED OUT OF THAT INTERSECTION. THE REASON IS IF LEFT TURNS ARE PERMITTED, THERE'S A SIGNIFICANT VOLUME OF TRAFFIC THAT WOULD ATTEMPT TO MAKE THAT MANEUVER AND WE ARE CONCERNED ABOUT THE SAFETY ASPECTS AND ARE CONCERNED THAT A SIGNAL MIGHT HAVE TO BE INSTALLED AT THAT LOCATION TO DEAL WITH THAT LEFT TURN PROBLEM. THAT SIGNAL WOULD BE TOO CLOSELY SPACED IN RELATION TO THE OTHER SIGNALS ALONG THE STREET. WE HAVE HAD TO ACCEPT A SUBSTANDARD SPACING FARTHER TO THE EAST BECAUSE THOSE STREETS ARE ALREADY EXISTING, BUT WE WOULD NOT WANT TO PERPETUATE THIS PATTERN UP AND DOWN SLAUGHTER LANE. THERE IS ANOTHER SIGNAL THAT IS CONTEMPLATED AT FRANCESCA TRAIL ALREADY. THAT'S SERVING THE EXISTING PARK RIDGE NEIGHBORHOOD. THE RESIDENTS ARE VERY DESIROUS OF HAVING A SIGNAL THERE TO BE ABLE TO GET OUT ON TO SLAUGHTER LANE AND THE APPLICANT IS PROPOSING TO LINE UP A DRIVEWAY WITH THAT INTERSECTION AND PROVIDED THAT THE SIGNAL

WARRANTS ARE MET, THAT WOULD BE AN APPROPRIATE LOCATION FOR A SIGNAL; HOWEVER, AT THE PROPOSED DRIVEWAY K ON SLAUGHTER LANE THE SPACING WOULD BE TOO CLOSE TO ADD ANOTHER SIGNAL THERE. SO STAFF IS RECOMMENDING THAT THE TURNING MOVEMENTS BE LIMITED THERE TO ALLOW LEFT TURNS IN OFF OF SLAUGHTER, RIGHT TURNS IN OFF OF SLAUGHTER, AND RIGHT TURNS OUT ON TO SLAUGHTER. THE ONLY MOVEMENT THAT WOULD BE PROHIBITED WOULD BE THE LEFT TURN FROM THE SITE ON TO SLAUGHTER LANE. I'D BE GLAD TO ANSWER ANY QUESTIONS.

Mayor Wynn: MR. ZAPALAC, I MISSED THIS. YOU ARE SUGGESTING THAT THAT BE A LIGHTED -- LIT, LIGHTED INTERSECTION?

NO, SIR, WE'RE RECOMMENDING NO SIGNAL AT THAT LOCATION AND THAT'S WHY WE WOULD PROHIBIT THE LEFT TURNS THERE.

Mayor Wynn: IF THERE WERE TO BE ONE THERE, WOULD IT -- WHY NOT JUST HAVE STAFF REQUIRE THE DEVELOPER TO PUT -- TO INSTALL A RED LIGHT THERE AND THEN ALLOW THAT SIGNALIZED LEFT TURN?

OUR CONCERN ABOUT THAT IS THAT THE SPACING WOULD BE TOO CLOSE IN RELATION TO THE OTHER SIGNALS THAT ARE PLANNED ALONG SLAUGHTER ALREADY. IF YOU DO ALLOW THAT TURNING MOVEMENT, WE WOULD RECOMMEND THAT THE APPLICANT BE REQUIRED TO POST FISCAL SURETY FOR THAT SIGNAL, BUT IT IS NOT A DESIRABLE SPACING AND THE PUBLIC WORKS DEPARTMENT MAY NOT PERMIT A SIGNAL AT THAT LOCATION. THEY WOULD HAVE TO STUDY THE SITUATION AFTER THE TRAFFIC WAS ON THE ROAD AND SEE WHETHER IT WOULD BE DESIRABLE TO PUT A SIGNAL THERE. BUT AGAIN, IT WOULD NOT MEET THE MINIMUM SPACING, AND FROM THE STANDPOINT OF TRAFFIC PROGRESSION, IT WOULD NOT BE DESIRABLE.

Mayor Wynn: THANK YOU, MR. ZAPALAC. FURTHER QUESTIONS OF STAFF? COUNCILMEMBER LEFFINGWELL.

Leffingwell: SO COULD YOU GO THROUGH THE ZONING AND

PLATTING COMMISSION'S RECOMMENDATION ON THE SPECIFIC POINT?

THEIR RECOMMENDATION WAS TO ALLOW ALL TURNING MOVEMENTS, TO NOT RESTRICT THE TURNING MOVEMENTS AT THAT LOCATION AND REQUIRE THE DEVELOPER TO POST FUNDS FOR A SIGNAL AT THAT LOCATION. >>

Leffingwell: IS THAT THE ONLY POINT OF DIFFERENCE BETWEEN YOUR RELIGIOUS AND THE COMMISSION'S RECOMMENDATION?

THE STAFF ALSO ORIGINALLY RECOMMENDED THAT ONE OF THE DRIVEWAYS ON SOUTH FIRST STREET BE ELIMINATED SIMPLY BECAUSE THERE WAS A LOW VOLUME OF TRAFFIC. THE COMMISSION RECOMMENDED THAT THAT DRIVEWAY BE DESIGNED FOR RIGHT TURN IN AND RIGHT TURN OUT OPERATION ONLY, AND WE ARE NOT OPPOSED TO THAT.

Leffingwell: AND IT THEY RECOMMEND SURETY FOR THE TRAFFIC SIGNAL ON TURK LANE?

AT CULLEN LANE? AT THIS LOCATION?

Leffingwell: YES.

YES, THEY WOULD BE PARTICIPATING IN THAT SIGNAL.

Leffingwell: AND THAT WAS PART OF THEIR RECOMMENDATION?

YES, SIR. FOR A PRO RATA SHARE.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? IF NOT, I GUESS WE WILL HEAR FROM THE OWNER OR AGENT. WELCOME MR. RICHARD SUTTLE. COUNCIL, TECHNICALLY WE HAVE NOBODY SIGNED UP FOR THIS IN EITHER DIRECTION, SO WITHOUT OBJECTION, I WON'T BOTHER TO SET THE CLOCK FOR MR. SUTTLE, WE'LL LET HIM GIVE A PRESENTATION AND JUST ASK QUESTIONS OF HE AND/OR STAFF.

MAYOR AND COUNCIL, I'M RICHARD SUTTLE ON BEHALF OF

THE APPLICANT TONIGHT. WE'VE NARROWED THIS CASE DOWN TO BASICALLY THE ISSUE OF THE DRIVEWAYS OR THE DRIVEWAY K. WE STAND BY THE PLANNING COMMISSION OR ZAP RECOMMENDATION. THAT ZAP RECOMMENDATION ALSO COMES TO YOU WITH NEIGHBORHOOD SUPPORT. IT ALSO COMES TO YOU WITH SUPPORT FROM AN ADJACENT LANDOWNER THAT ACTUALLY SUPPORTS THE FULL PURPOSE DRIVEWAY. THE HISTORY OF THE DRIVEWAY SITUATION IS A LITTLE MORE DIFFICULT FOR US BECAUSE THERE WERE TWO PRIOR ZONING CASES. WHAT YOU SEE BEFORE YOU IS AN AERIAL PHOTOGRAPH OF THE CONSTRUCTION THAT'S GOING ON OUT THERE. THESE TWO TRACTS, THIS ONE AND THIS ONE, WERE PRIOR ZONING CASES THAT CAME TO YOU BEFORE. THEY HAD A TIA WITH THEM, AND THEY HAD FULL -- THE TIA WAS APPROVED WITH FULL ACCESS TO THIS DRIVEWAY RIGHT HERE. THAT'S THE DRIVEWAY IN QUESTION TONIGHT. THAT FULL ACCESS CAME WITH IT THE OBLIGATION TO RECONSTRUCT THE MEDIAN ALONG SLAUGHTER, AND AS YOU CAN SEE, THE DRIVEWAY HAS ALREADY BEEN ROUGH CUT. BECAUSE OF THAT PRIOR COMMITMENT, THERE ARE PEOPLE THAT ARE ALONG IN HERE THAT HAVE LEASED AND ARE BUILDING THEIR BUILDINGS NOW THAT ARE COUNTING ON FULL ACCESS THERE. SO WHAT'S HAPPENED TO US IS WHEN WE BRING IN A ZONING CASE AFTER THE FACT, AND THEN A TURNING MOVEMENT IS EA MOVED, WE CAN'T AGREE TO THAT. WHAT WE DID IS AGREE THAT IF WE COULD GET FULL TURNING MOVEMENTS IF THERE'S A CONCERN ABOUT SAFETY, WE WOULD FUND THE LATE. AND THE ZAP AGREED THAT FULL TURNING MOVEMENT ON THAT LOCATION WOULD BE A GREAT IDEA BECAUSE -- CAN I FLIP BACK TO THIS MAP HERE? THIS IS A BIT OF AN OLDER MAP, BUT IT GETS THE POINT ACROSS. THIS IS THE DRIVEWAY WE'RE TALKING ABOUT RIGHT HERE, AND IT ACTUALLY LEADS ALL THE WAY BACK INTO THE PART OF THE CENTER HERE. SO THERE WILL BE A GOOD AMOUNT OF TRAFFIC MOVING IN AND OUT OF THERE, AND WE'D LIKE TO HAVE THE FULL ACCESS AND PROVIDE THE LIGHT. SINCE WE DON'T HAVE AN ISSUE ON SOUTH FIRST, I WANT TO ADDRESS THAT AND THE ISSUE OF WHETHER IT'S LR OR GR ON THESE OTHER TRACTS. WE STAND BY THE ZAP RECOMMENDATION, WHICH AGAIN HAS THE FULL SUPPORT OF THE NEIGHBORHOOD AND THE

ADJACENT PROPERTY OWNERS. SO TONIGHT WHAT WE'RE URGING YOU TO DO IS ESSENTIALLY WE CAN LIVE WITH THE ZAP RECOMMENDATION IS WHAT WE'RE ASKING FOR TONIGHT. LIGHT SPACING, ALTHOUGH IT'S NOT IDEAL, IT HAPPENS IN OTHER PARTS OF THE CITY WHERE YOU GET A LIGHT A LITTLE CLOSER THAN OTHERS, AND WE SEEM TO BE ABLE TO MAKE IT WORK. AND WE'RE HOPING THAT BECAUSE OF THE PRIOR HISTORY OF THIS DRIVEWAY AND THE CONSTRUCTION THAT'S ALREADY BEEN MADE AND THE FACT THAT EVERYBODY ALONG THERE SUPPORTS IT, WE'LL HOPE THAT YOU'LL GO WITH STAFF RECOMMENDATION AND FORCE US TO POST THE FISCAL AND POTENTIALLY DIRECT STAFF TO GIVE US A LIGHT THERE AT THAT DRIVEWAY TO MAKE IT SAFER. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

THEY WOULD PROBABLY LIKE TO HAVE THAT.

SO THE STREET THERE THAT'S -- ADJACENT TO THE PARK RIDGE NEIGHBORHOOD WHERE WE HAD THE CONTESTED IDEA, SUGGESTION ABOUT A LIGHT, RIGHT THERE, CORRECT? SO THAT NEIGHBORHOOD STREET, WHAT IS -- WHAT'S THE NAME OF THAT STREET?

WELL, ACTUALLY IT APPEARS TO BE A STREET BUT IT'S A PRIVATE DRIVE.

I'M SORRY, ACROSS SLAUGHTER. >

ACROSS HERE THERE'S NOT ONE.

THAT'S -- THAT'S NOT A STREET THAT I SEE ACROSS SLAUGHTER?

NO. RIGHT HERE IT'S NOT. >

THAT'S JUST A BOUNDARY LINE I GUESS. >

THAT'S RIGHT. BASICALLY TEES INTO SLAUGHTER RIGHT HERE.

OKAY. QUESTIONS OF MR. SUTTLE, COUNCIL?

THANK YOU VERY MUCH.

Mayor Wynn: COUNCILMEMBER DUNKERLY?

Dunkerly: WE HAVE NO SPEAKERS SIGNED UP FOR OR AGAINST, I THINK THAT ITEM HAS BOILED DOWN TO THIS TRAFFIC FLOW SUGGESTED BY Z.A.P. COMIEWNG? NO --

WELL, I WOULD MOVE APPROVAL OF THE Z.A.P. RECOMMENDATION,.

MOTION MADE BY COUNCILMEMBER DUNKERLY, SECONDED BY COUNCILMEMBER KIM TO CLOSE THE PUBLIC HEARING AND APPROVE MR. GUERNSEY, HOW -- HOW MANY READINGS ARE YOU ALL READY FOR?

Guernsey: ONLY READY FOR FIRST READING AT THIS TIME. IN BETWEEN NOW AND -- AND THE SECOND AND THIRD READING THE APPLICANT WOULD POST THE FISCAL REQUIRED. FOR THE IMPROVEMENTS. TO THE MOTION FIRST READING ONLY, CLOSE IT IS THE PUBLIC HEARING PURSUANT TO THE ZAP RECOMMENDATION. FURTHER COMMENTS? FOR MY SAKE, MR. GUERNSEY, SO THE DISAM RECOMMENDATION INCLUDED THE REQUIREMENT TO POST THE FISCAL AND DO THE -- WHAT STAFF WOULD NORMALLY REQUIRE IF STAFF WAS --

PART OF THEIR RECOMMENDATION WOULD BE ALLOWING THE THE FULL TURNING MOVEMENTS AND THE FISCAL THAT WOULD BE REQUIRED TO PAY FOR THOSE [INDISCERNIBLE]

Mayor Wynn: MOTION AND SECOND ON THE TABLE, FIRST READING ONLY. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0, FIRST READING ONLY WITH COUNCILMEMBER MCCracken OFF THE DAIS.

Guernsey: IN A CONCLUDES OUR ZONING ITEMS THIS

EVENING.

Mayor Wynn: THANK YOU, MR. GUERNSEY. SO, COUNCIL, THAT LEAVES US THEN WITH ONE PUBLIC HEARING, ITEM NO. 83 REGARDING APPROVING THE PROPOSED AMENDMENT TO THE CONTINUOUS SERVICE PROGRAM INITIATION FEE IN THE ELECTRIC RATE SCHEDULE IN EXHIBIT A OF A CERTAIN ORDINANCE AMENDING THE FEE TO A ONE-TIME CHARGE. I WILL WELCOME AN AUSTIN ENERGY PRESENTATION, KERRY OVERTON.

GOOD AFTERNOON, MAYOR, MAYOR PRO TEM, COUNCILMEMBERS. MY NAME IS KERRY OVERTON, SENIOR VICE-PRESIDENT OF AUSTIN ENERGY CUSTOMER CARE. THIS ITEM BEFORE YOU HAS LARGELY BEEN BROUGHT FORWARD TO ADD SOME CLARITY TO OUR CONTINUATION PROGRAM. REQUIRING A FEE CHARGE TO THE MULTI-FAMILY PARTNERS. THIS ITEM WAS APPROVED THROUGH COUNCIL BACK IN 19 -- I'M SORRY, 2002 AND WHEN WE IMPLEMENTED THE PROGRAM THERE WAS A LITTLE BIT OF -- OF A COUPLE OF ITEMS THAT WERE NOT REAL CLEAR IN TERMS OF HOW THE STRUCTURE OF IT WOULD APPLY TO CERTAIN PROPERTY MANAGERS. WHAT THIS PROPOSAL DOES IS ACTUALLY CLEAR THAT ITEM UP, WE HAVE WORKED IN CONJUNCTION WITH COUNCILMEMBER BETTY DUNKERLY, COUNCILMEMBER KIM, ALONG WITH THE LEADERSHIP OF THE AUSTIN APARTMENT ASSOCIATION. AND THE CLARITY IN THAT STRUCTURE IS SUCH THAT WHEN THE \$20 FEE IS CHARGED TO -- TO THE PROPERTY OWNERS, THAT THEY WOULD PAY A ONE-TIME SETUP FEE, THROUGHOUT THE CONTINUATION OF THE PROGRAM, AS LONG AS THEY STAY WITHIN THE CONTINUOUS SERVICE PROGRAM. SO IT'S OUR RECOMMENDATION THAT THIS ITEM BE APPROVED BECAUSE IT PROVIDES AN INCENTIVE FOR OUR CUSTOMERS TO MAINTAIN THE STATUS AND PARTICIPATION IN THAT PROGRAM.

Mayor Wynn: THANK YOU, QUESTIONS OF STAFF. COUNCILMEMBER DUNKERLY.

Dunkerly: I JUST WANT TO SAY THANK YOU VERY MUCH TO AUSTIN ENERGY, TO YOU PARTICULARLY FOR TAKING A LEADERSHIP ROLE IN THIS, WE HAD SEVERAL ISSUES, VERY

DIFFICULT ISSUES. WHERE THE APARTMENT ASSOCIATION AND AUSTIN ENERGY HAS BEEN TRYING TO RESOLVE SOME THINGS AND JUST -- JUST THINK IT'S -- YOU HAVE DONE A REMARKABLE JOB IN WORKING THROUGH SOME OF THOSE ISSUES. I DO THINK THAT IT WILL BE AN INCENTIVE FOR THE - - FOR THE APARTMENT OWNERS TO STAY ON THIS PROGRAM AND TO CONTINUE -- BECAUSE IT'S A VERY COST EFFECTIVE WAY TO HANDLE -- HANDLE APARTMENT BILLING AND CONNECTIONS TO AUSTIN ENERGY. SO THANK YOU AND THANK JUAN GARZA VERY MUCH FOR HELPING WITH THESE THINGS.

THANK YOU, COUNCILMEMBER, FURTHER COMMENTS, QUESTIONS OF STAFF. COUNCILMEMBER KIM?

I WOULD ALSO LIKE TO THANK JUAN GARZA, I HAVE HEARD VERY GOOD THINGS FROM THE MEMBERS WHO WORKED WITH YOU, VERY IMPRESSED WITH YOUR DILIGENCE, FINDING WAYS TO WORK THIS OUT. I KNOW IT TOOK A LITTLE WHILE TO CLARIFY SOME THINGS, THERE WERE SOME MISUNDERSTANDINGS, WE GOT THIS CLEARED UP, I'M REALLY GLAD THAT WE GOT THIS WORKED OUT. THANK YOU.

FURTHER COMMENTS, QUESTIONS? IF NOT, I WILL ENTERTAIN A MOTION.

Dunkerly: I MOVE APPROVAL OF THIS ITEM.

MOTION MADE BY COUNCILMEMBER DUNKERLY, SECONDED BY COUNCILMEMBER KIM TO CLOSE THE PUBLIC HEARING AND APPROVE THIS AMENDED ORDINANCE. FURTHER COMMENTS? AGAIN WE HAVE NO CITIZENS SIGNED UP WISHING TO ADDRESS US. HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH COUNCILMEMBER MCCracken OFF THE DAIS.

THANK YOU.

Mayor Wynn: THANK YOU, MR. OVERTON. MS. GENTRY?

COUNCIL, THERE BEING NO MORE BUSINESS BEFORE THE
AUSTIN CITY COUNCIL WE NOW STAND ADJOURNED, IT IS
7:07 P.M. STILL LIGHT OUTSIDE.

End of Council Session Closed Caption Log